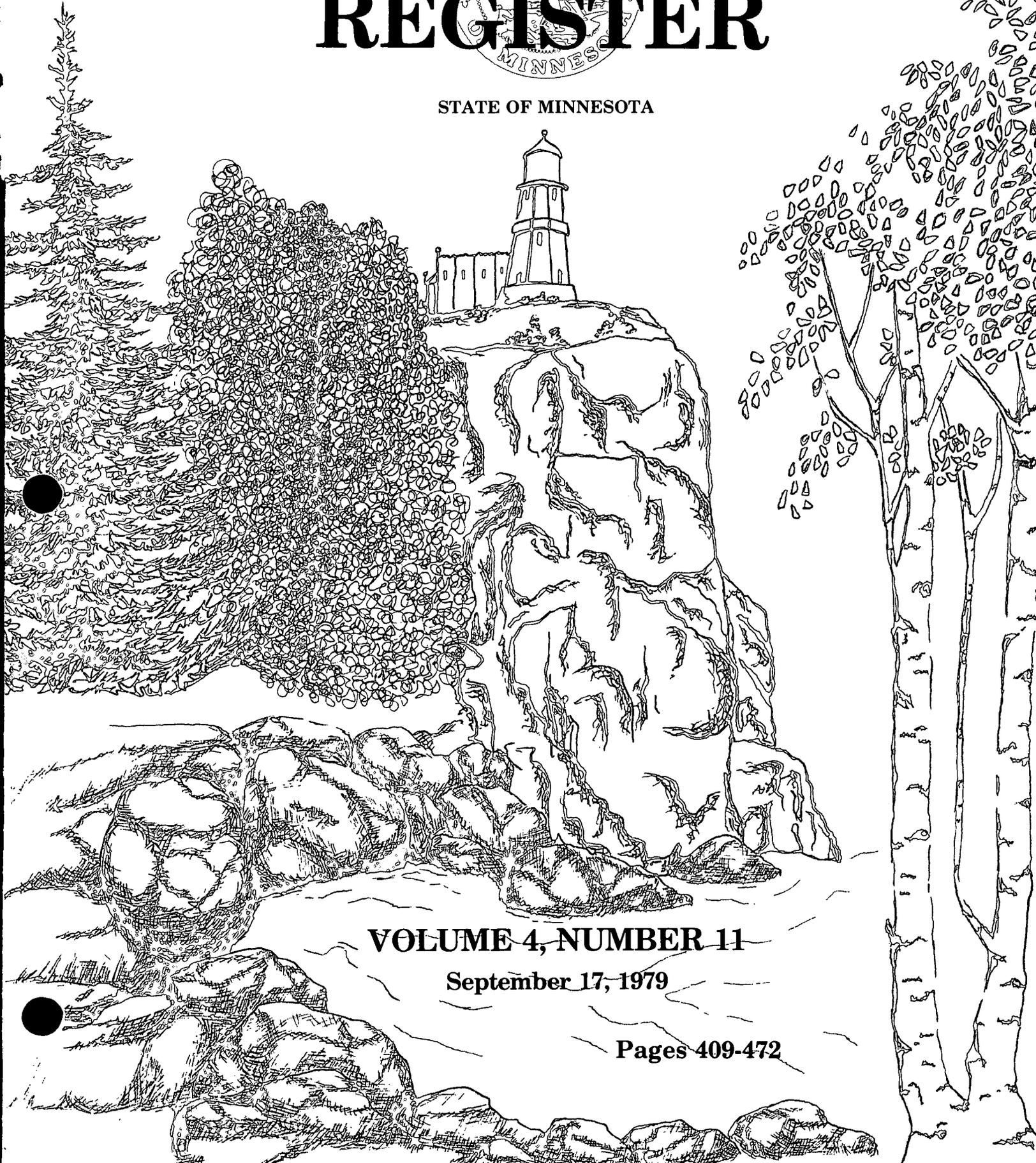


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# STATE REGISTER

STATE OF MINNESOTA



VOLUME 4, NUMBER 11

September 17, 1979

Pages 409-472

# STATE REGISTER

## Volume 4 Printing Schedule for Agencies

Issue Number	*Submission deadline for Executive Orders, Adopted Rules and **Proposed Rules	*Submission deadline for State Contract Notices and other **Official Notices.	Issue Date
SCHEDULE FOR VOLUME 4			
12	Monday Sept 10	Monday Sept 17	Monday Sept 24
13	Monday Sept 17	Monday Sept 24	Monday Oct 1
14	Monday Sept 24	Monday Oct 1	Monday Oct 8
15	Monday Oct 1	Monday Oct 8	Monday Oct 15

\*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

\*\*Notices of Public Hearings on proposed rules are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the Office of the State Register, Suite 415, Hamm Building, 408 St. Peter Street, St. Paul, Minnesota 55102.

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The *State Register* is the official publication of the State of Minnesota, containing executive orders of the governor, proposed and adopted rules of state agencies, and official notices to the public. Judicial notice shall be taken of material published in the *State Register*.

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# CONTENTS

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**MCAR AMENDMENTS AND ADDITIONS** ..... 412

## RULES

**Minnesota Legislative Commission to Review Administrative Rules**  
Order for Suspension of Mn/DOT Rule ..... 413

**Department of Agriculture**  
Adopted Temporary Rules Governing Sanitation and Reforestation Grants, and Wood Utilization and Disposal System Grants ..... 413

## PROPOSED RULES

**Calendar**  
Public Hearings on Agency Rules, September 20-24, 1979 ..... 414

**Department of Public Service Public Service Commission**  
Proposed Rule Governing Disconnection of Service to Gas and Electric Customers During Periods of Cold Weather and Repeal of Cold Weather Rule ..... 414

**State Board for Vocational Education Department of Education**  
Proposed Rules Governing Licensure of Vocational Education Personnel and the Repeal of Rule 5 MCAR § 1.0074 ..... 417

## SUPREME COURT

**Decisions Filed Friday, September 7, 1979** ..... 465

## STATE CONTRACTS

**Department of Administration Intergovernmental Information Systems Advisory Council**  
Notice of Request for Proposals for Computer Aided Property Appraisal System ..... 466

### **Department of Economic Security Program and Management Support Division**

Notice of Request for Proposal to Develop Procedures for Personnel Administration ..... 467

### **Energy Agency**

Notice of Request for Proposals for Contractual Services Regarding Emergency Rules During Petroleum Shortages ..... 467

## OFFICIAL NOTICES

### **Department of Administration Office of the Commissioner**

Notice of Application for a Planning Grant with the National Telecommunications and Information Administration ..... 468

### **Department of Agriculture**

**Agronomy Services Division**  
Notice of Special Local Need Registration for Dursban 2E Insecticide ..... 468  
Notice of Special Local Need Registration for Dursban 4E Insecticide ..... 468

### **Department of Health**

**Emergency Medical Services Section**  
Notice of Applications for Licensure of Life Support Transportation Services in Long Lake and Minnetonka: Extension of Public Record ..... 469

**Minnesota State Retirement System**  
Special Meeting of the Board of Directors ..... 469

### **Pollution Control Agency**

**Water Quality Division**  
Notice of Intent to Solicit Outside Opinion on Proposed Rules Revising Quality and Purity Standards for State Waters ..... 469

### **Water Planning Board**

Notice of Meeting of the Water Planning Board . . 470

# MCAR AMENDMENTS AND ADDITIONS

All adopted rules published in the *State Register* and listed below amend rules contained in the Minnesota Code of Agency Rules (MCAR). Both proposed temporary and adopted temporary rules are listed here although they are not printed in the MCAR due to the short-term nature of their legal effectiveness.

The *State Register* publishes partial and cumulative listings of all proposed and adopted rules on the following schedule: issues 1-13, inclusive; issues 14-25, inclusive; issue 26, cumulative for 1-26; issues 27-38, inclusive; issue 39, cumulative for 1-39; issues 40-51, inclusive; and issue 52, cumulative for 1-52. The listings are arranged in the same order as the table of contents of the MCAR.

## TITLE 2 ADMINISTRATION

### Part 1 Administration Department—State Building Code

2 MCAR §§ 1.15530-1.15538 (adopted)	65
2 MCAR §§ 1.10101-1.10109, 1.10111-1.10112, 1.10303-1.10310, 1.10312, 1.10320-1.10321, 1.10325, 1.10334-1.10336, 1.15501-1.15517, 1.16005, 1.18601, 1.18701, 1.18803-1.18813, 1.18901 (proposed)	233

### Part 1 Administration Department—Telecommunications

2 MCAR §§ 1.6101-1.6105 (adopted)	162
-----------------------------------	-----

### Part 2 Personnel Department

2 MCAR §§ 2.009-2.010, 2.018-2.019, 2.024, 2.029, 2.031, 2.039, 2.045-2.046, 2.061, 2.065, 2.067, 2.086-2.087, 2.091, 2.097, 2.099, 2.108-2.110, 2.118-2.119, 2.131, 2.133-2.136, 2.138, 2.141, 2.181-2.182, 2.201-2.203, 2.226, 2.240-2.241, 2.244 (proposed)	117
2 MCAR §§ 2.097, 2.131, 2.135, 2.181-2.182 (adopted temporary)	117

## TITLE 3 AGRICULTURE

### Part 1 Agriculture Department

3 MCAR §§ 1.0112-1.0113 (proposed temporary)	6
3 MCAR §§ 1.0112-1.0113 (adopted temporary)	413
3 MCAR §§ 1.1331-1.1334 (adopted)	213

### Part 2 Livestock Sanitary Board

3 MCAR §§ 2.013-2.014, 2.019, 2.024-2.025, 2.051, 2.060 (adopted)	301
---	-----

## TITLE 4 COMMERCE

### Part 3 Public Service Department

PSC 299 (proposed)	414
--------------------	-----

### Part 6 Accountancy Board

4 MCAR § 6.100 (proposed temporary)	6
-------------------------------------	---

## TITLE 5 EDUCATION

### Part 1 Education Department

5 MCAR §§ 1.0104, 1.01051 (proposed temporary)	215
5 MCAR §§ 1.0074, 1.0780-1.0798 (proposed)	417

## TITLE 6 ENVIRONMENT

### Part 1 Natural Resources Department

6 MCAR §§ 1.0401-1.0407 (proposed)	302
------------------------------------	-----

### Part 2 Energy Agency

6 MCAR § 2.065 (adopted)	101
--------------------------	-----

### Part 4 Pollution Control Agency

6 MCAR §§ 4.0033, 4.0040 (proposed)	9
6 MCAR § 4.0039 (hearing rescheduled)	9

## TITLE 7 HEALTH

### Part 1 Health Department—Plumbing Code

MHD 122-123, 125, 130 (proposed)	233
----------------------------------	-----

### Part 1 Health Department—Merit System

7 MCAR §§ 1.238, 1.249-1.250 (proposed)	170
7 MCAR §§ 1.239, 1.250, 1.260, 1.269, 1.314 (proposed)	318

### Part 2 Chiropractic Board

7 MCAR § 2.005 (proposed)	66
---------------------------	----

### Part 10 Psychology Board

Psych 6 (proposed)	23
--------------------	----

## TITLE 8 LABOR

### Part 4 Economic Security Department

8 MCAR § 4.4010 (proposed temporary)	164
--------------------------------------	-----

## TITLE 11 PUBLIC SAFETY

### Part 1 Public Safety—Merit System

11 MCAR §§ 1.2093-1.2094 (1.093-1.094) (proposed)	176
11 MCAR §§ 1.090-1.094, 1.116-1.141 (renumbered)	217
11 MCAR §§ 1.2094, 1.2116, 1.2140 (proposed)	333

## TITLE 12 SOCIAL SERVICE

### Part 2 Public Welfare Department

12 MCAR § 2.020 (proposed)	140
12 MCAR § 2.049 (adopted)	163
12 MCAR §§ 2.493, 2.503-2.504, 2.581, 2.586, 2.588, 2.592-2.593, 2.621-2.626, 2.640, 2.646, 2.654, 2.840 (proposed)	178
12 MCAR § 2.047 E.2.t. (proposed temporary)	218
12 MCAR §§ 2.516, 2.840, 2.494, 2.578-2.579, 2.619, 2.655-2.656, 2.693, 2.840 (proposed)	343

### Part 3 Housing Finance Agency

12 MCAR §§ 3.002, 3.034, 3.062, 3.065-3.066 (adopted)	301
12 MCAR §§ 3.150-3.157 (temporary)	47

## TITLE 14 TRANSPORTATION

### Part 1 Transportation Department

14 MCAR § 1.5032 I.1.a.(5) (suspended)	413
--	-----

# RULES

The adoption of a rule becomes effective after the requirements of Minn. Stat. § 15.0412, subd. 4, have been met and five working days after the rule is published in the *State Register*, unless a later date is required by statutes or specified in the rule.

If an adopted rule is identical to its proposed form as previously published, a notice of adoption and a citation to its previous *State Register* publication will be printed.

If an adopted rule differs from its proposed form, language which has

been deleted will be printed with strike outs and new language will be underlined, and the rule's previous *State Register* publication will be cited.

A temporary rule becomes effective upon the approval of the Attorney General as specified in Minn. Stat. § 15.0412, subd. 5. Notice of his decision will be published as soon as practicable, and the adopted temporary rule will be published in the manner provided for adopted rules under subd. 4.

## Minnesota Legislative Commission to Review Administrative Rules

### Order for Suspension of Mn/DOT Rule

Pursuant to Minn. Stat. § 3.965, the Minnesota Legislative Commission to Review Administrative Rules held three hearings regarding complaints pertaining to the Minnesota Department of Transportation state aid road rule enforcing parallel parking on any approved state aid project. At its meeting on August 27, 1979, the Commission, by an affirmative vote of eight members and pursuant to Minn. Stat. § 3.965, subd. 2 and 4, suspended the following administrative rule:

14 MCAR § 1.5032 I.1.a.(5) "the enforcement of parallel parking on any approved state aid project;"

By its action, the Commission has prohibited the Minnesota Department of Transportation from enforcing that particular portion of the state aid road rules. That suspension will be effective until the next legislative session — during which time the Commission shall introduce a bill to repeal the suspended rule. If the bill is defeated, or fails of enactment in that session, the rule shall stand and the Commission shall not suspend it again. If the bill becomes law, the rule is permanently repealed and the Minnesota Department of Transpor-

tation shall not enact that rule again unless the Minnesota Legislature specifically authorizes in subsequent legislation the adoption of that rule.

The suspension of the parallel parking rule is effective beginning August 27, 1979.

Questions regarding the Commission's action on the matter may be directed to the following person:

Marshall R. Whitlock, Executive Secretary  
Legislative Commission to Review Administrative Rules  
Room 47, State Office Building, St. Paul, MN 55155  
(612) 296-1143

## Department of Agriculture Shade Tree Program

### Adopted Temporary Rules Governing Sanitation and Reforestation Grants, and Wood Utilization and Disposal System Grants

The rules published as proposed temporary rules at *State Register*, Volume 4, Number 1, pp. 6-9, July 9, 1979 (4 S.R. 6), were adopted, without amendments, as temporary rules as of August 31, 1979, approved by the Office of the Attorney General on August 28, 1979, and filed with the Secretary of State on September 4, 1979.

**KEY: RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

# PROPOSED RULES

Pursuant to Minn. Stat. § 15.0412, subd. 4, agencies must hold public hearings on proposed new rules and/or proposed amendment of existing rules. Notice of intent to hold a hearing must be published in the *State Register* at least 30 days prior to the date set for the hearing, along with the full text of the proposed new rule or amendment. The agency shall make at least one free copy of a proposed rule available to any person requesting it.

Pursuant to Minn. Stat. § 15.0412, subd. 5, when a statute, federal law or court order to adopt, suspend or repeal a rule does not allow time for the usual rulemaking process, temporary rules may be proposed. Proposed temporary rules are published in the *State Register*, and for at least 20 days thereafter, interested persons may submit data and views in writing to the proposing agency.

## Public Hearings on Agency Rules September 20-24, 1979

Date	Agency & Rule Matter	Time & Place
Sept. 20	Dept. of Public Welfare Administration of Specified Therapies to State Hospital Patients Hearing Examiner: Steven Mihalchick	9:00 a.m., MN Veterans Home, Building 15, Auditorium Chapel, East 51st St. at Minnehaha, Minneapolis, MN
Sept. 21	Dept. of Public Welfare Dept. of Public Safety Dept. of Health Merit System Rules Hearing Examiner: Harry Seymour Crump	9:30 a.m., Rm. 116, Administration Bldg., 50 Sherburne Avenue, St. Paul, MN
Sept. 24	Energy Agency Application for a Certificate of Need for a 25-Megawatt Electric Generating Facility Hearing Examiner: Allan W. Klein	7:00 p.m., City Council Chambers 540 West Hills Circle, Owatonna, MN

## Department of Public Service Public Service Commission Proposed Rule Governing Disconnection of Service to Gas and Electric Utility Customers During Periods of Cold Weather and Repeal of Cold Weather Rule

### Notice of Hearing

Notice is hereby given that a public hearing in the above-entitled matter will be held in the following locations:

**Thur., October 18, 1979, 1:30 p.m. and 7:30 p.m.,** Southwest Junior High School Little Theatre, Highway 69 South, Albert Lea: (Hearing Examiner Richard DeLong 612/296-8117).

**Fri., October 19, 1979, 1:30 p.m.,** Hennepin County Govt.

Center Auditorium, 300 S. 6th St., Minneapolis: (Hearing Examiner Richard DeLong 612/296-8117).

**Fri., October 19, 1979, 7:30 p.m.,** State Office Building Auditorium, Ground Floor (use north door entrance) St. Paul: (Hearing Examiner Richard DeLong 612/296-8117).

**Mon., October 22, 1979, 1:30 p.m. and 7:30 p.m.,** Rainbow Inn, Garland Room, Highway 169 East, Grand Rapids: (Hearing Examiner Richard DeLong 612/296-8117).

**Tues., October 23, 1979, 1:30 p.m. and 7:30 p.m.,** Little Falls Community School, 109 N.E. 2nd Avenue, Little Falls: (Hearing Examiner Richard DeLong 612/296-8117).

These hearings shall continue until all persons have had an opportunity to be heard.

All interested or affected persons will have an opportunity to participate. Statements may be made orally and written materials may be submitted at the hearing. In addition, written materials may be submitted by mail to Hearing Examiner Richard DeLong, Office of Hearing Examiners, 1745 University Avenue, St. Paul, Minnesota 55104, telephone (612) 296-8111, either before the hearing, or within five working days after the close of the hearing unless the hearing examiner orders a longer period not to exceed 20 calendar days.

If adopted, the proposed rule would result in: repeal of PSC 299 Cold Weather Rule; establishment of a uniform minimum temperature below which utility service may not be disconnected, except for safety reasons; requirements that govern disconnection of utility service during cold weather months; requirements governing payment agreements between utilities and their customers; and requirements for determining whether a residential unit is unoccupied. The Agency's authority to promulgate the proposed rule is contained in Minn. Stat. §§ 216B.05, subd. 1; 216B.09; and 216B.23, subd. 2.

The Minnesota Public Service Commission has considered the requirements as set out in sections 115(g) and 304(a) of the Public Utilities Regulatory Policies Act of 1978 (PURPA), as they relate to this proposed rule, and will make a final determination thereof based upon the hearings.

Copies of the proposed rules are now available and one free copy may be obtained by writing to, or calling the Minnesota Public Service Commission, Attention Mary L. Harty, Secretary, 7th Floor, American Center Building, 160 East Kellogg Boulevard, St. Paul, Minnesota 55101, Telephone (612) 296-8994. Copies will also be available at the door on the date of the hearing.

Notice: Any person may request notification of the date on which the hearing examiner's report will be available, after

## PROPOSED RULES

which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing, you may request notification by sending a written request to the hearing examiner (in the case of the hearing examiner's report), or to the agency (in the case of the agency's submission or resubmission to the Attorney General).

Notice is hereby given that 25 days prior to the hearing, a Statement of Need and Reasonableness will be available for review at the agency and at the Office of Hearing Examiners. This Statement of Need and Reasonableness will include a summary of all the evidence which will be presented by the agency at the hearing justifying both the need and the reasonableness of the proposed rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

Please be advised that pursuant to Minn. Stat. § 10A.01, subd. 11, (1978) any individual: (a) engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or (b) who spends more than \$150, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials must register with the State Ethical Practices Board as a lobbyist within five days of the commencement of such activity by the individual. The statute provides certain exceptions. Questions should be directed to the State Ethical Practices Board, 41 State Office Building, St. Paul, Minnesota 55155, telephone (612) 296-5615.

Mary L. Harty  
Executive Secretary

### Amendment as Proposed

#### ~~PSC 299 Cold weather rule.~~

A. ~~Notwithstanding the provisions of PSC 298 A. and B., no utility shall disconnect residential service, if said disconnection effects the primary heat source of the premises.~~

1. ~~If the predicted 24 hour (12 a.m. to 12 p.m.) temperature as reported by the National Weather Service at its first order station nearest the residence is to be zero degrees fahrenheit (18 degrees celsius) or lower; nor~~

2. ~~On a Friday or a day before a legal holiday if the predicted 24 hour (12 a.m. to 12 p.m.) temperature as recorded by the National Weather Service at its first order station nearest the residence is to be 32 degrees Fahrenheit (0 degrees celsius) or lower.~~

B. ~~If a residential service has been disconnected and not restored to service by the close of business on the disconnect date when the predicted 24 hour (12 a.m. to 12 p.m.) temperature as reported by the National Weather Service at its first order station nearest the residence is to be 32 degrees fahrenheit (0 degrees celsius) or lower, the utility shall inform the customer that the appropriate local welfare department has emergency services and may provide financial assistance; in addition, the utility shall notify the local law enforcement department and the appropriate county welfare department. In these instances, the utility shall provide the name, address and telephone number at which the service was disconnected.~~

### Rule as Proposed (all new material)

#### PSC 299 Disconnection of service during periods of cold weather.

A. Purpose and authority. The rule contained herein is prescribed by the Commission pursuant to Minn. Stat. § 216B.05, subd. 1, to prohibit disconnection to an occupied residential unit if the temperature is reported to be at 32 degrees Fahrenheit or lower or the payment agreement procedure applies.

B. Definitions. For the purpose of this rule, the following definitions shall apply:

1. "Alternative payment agreement" means a plan providing for deferred payment of bills for usage which does not meet the definition of "deferred payment agreement."

2. "Cold weather months" means the period of time beginning on October 15 and terminating on April 15 following. The Commission shall vary the period for a given year if the National Weather Service reports temperature variation of extreme amounts.

3. "Deferred payment agreement" means a plan providing installment payment of amounts which the customer owes the utility at the beginning of the deferred payment period and for estimated usage during the deferred payment period, wherein payment shall be made by:

a. Payment of a reasonable amount of the outstanding bill at the time the agreement is entered into; and

b. Payment of the following amount in equal monthly installments:

(1) the balance of the outstanding bill; and

(2) bills for estimated usage during the remaining months of the deferred payment period.

**KEY: RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

## PROPOSED RULES

(3) a true-up to reconcile actual and estimated usage in the final months.

4. "Deferred payment period" means the 12-month period commencing with the first day of the period covered by an outstanding bill.

5. "Payment agreement" means a "deferred payment agreement" proposed by the utility or an "alternative payment agreement" agreed upon by the utility and the customer.

6. "Residential" means pertaining to a dwelling unit receiving gas and/or electric service which is occupied by its owner or tenant whether or not the occupant is the customer of the utility.

B. Disconnection restrictions for occupied residential units. Notwithstanding the provisions of any other customer service rule, no utility shall disconnect service to an occupied residential unit for any reason, except the safety of the occupants or the public as provided in PSC 298 B.2, if the disconnection affects the primary heat source of the residential unit and if the minimum temperature restriction or the payment agreement restriction set forth below applies.

1. Minimum temperature restriction. Disconnection shall not take place if the predicted 24 hour (12 a.m. to 12 p.m.) temperature as reported by the National Weather Service at its first order station nearest the dwelling unit is to be 32 degrees Fahrenheit (0 degrees Celsius) or lower.

2. Payment agreement restriction. No utility shall terminate residential service during cold weather months unless:

a. the utility has made a written offer, or an oral offer confirmed in writing within 72 hours, for a deferred payment agreement; and

b. the customer has failed to enter into or comply with such an agreement or an alternative payment agreement. The customer shall have five days after receipt of the utility's written offer:

(1) to deposit in the mail, or otherwise deliver to the utility or its agent, written acceptance of the offer; or

(2) to enter into an alternative payment agreement.

c. For purposes of determining the reasonableness of the amount of the initial payment under a payment agreement, the parties shall consider:

(1) The size of the delinquent account;

(2) The customer's ability to pay (if the customer is a landlord and the service is to a tenant, the landlord shall be presumed to be able to pay the bill);

(3) The customer's payment history;

(4) The length of time that the debt has been outstanding;

(5) The reasons why the debt is outstanding;

(6) Any other relevant factors concerning the circumstances of the customer.

d. Billing statements to customers receiving service under payment agreements shall contain, in addition to the information required by PSC 313, the following information:

(1) The actual charges incurred for usage during the billing period; and

(2) The billing amount due and payable for the billing period pursuant to the terms of the payment agreement.

D. Disconnection restriction for unoccupied residential units.

1. No utility shall disconnect service to the primary heat source of a residential dwelling unit during cold weather months, which it believes to be unoccupied, prior to conducting an on-site inspection of such residential unit and attempting to make direct personal contact with any occupants therein. Such inspection shall include at least one visit to the residential unit by field personnel during normal working hours; and in the event that personal contact is not achieved, another on-site visit during non-business hours.

2. If the field personnel are unable to make direct personal contact with any occupants, and if it reasonably appears from the on-site inspection the residential unit is unoccupied, then service may be disconnected pursuant to the procedures and requirements of PSC 298, 300 and 301.

3. The utility shall follow up termination of service to an unoccupied residential unit by conducting an additional on-site inspection of the premises and attempting to make direct personal contact with any occupants therein on the day immediately following termination of service, including Sundays and holidays. If such residential unit is then found to be occupied, service must be reconnected:

a. If the minimum temperature restriction applies;

or

b. If the utility has not satisfied the requirements and procedures of the payment agreement restriction.

The utility shall not charge the customer for reconnection of service pursuant to this subsection.

E. Payment agreements.

1. A deferred payment agreement or an alternative payment agreement shall state immediately preceding the space provided for the customer's signature and in bold face print at least two sizes larger than any other used thereon: "IF YOU ARE NOT SATISFIED WITH THIS AGREEMENT, DO NOT SIGN. IF YOU DO SIGN THIS AGREEMENT, YOU AGREE THAT YOU OWE THE AMOUNT STATED TO BE YOUR OUTSTANDING BILL AND YOU AGREE TO MAKE PAYMENTS IN ACCORDANCE WITH THIS PLAN."

2. If during the term of a payment agreement consumption or rates are substantially greater than estimated, the difference shall be amortized over subsequent months for a

## PROPOSED RULES

reasonable time, and the required payments shall be adjusted accordingly. At least 30 days prior to billing the customer such an adjusted amount, the utility shall send written notice of the reasons for the adjustment and the amount of the adjusted monthly installment.

3. If during the term of a payment agreement the consumption or rates are substantially less than estimated, the utility shall refund any excess payments as soon as possible and shall adjust future billings under the agreement accordingly. The utility may, with express consent of the customer, credit excess payments to future bills. Such consent must be given in writing, and signed after the amount of any excess payments has been determined and reported to the customer.

4. The terms of a payment agreement may be modified because of a change in a customer's circumstances if it would be reasonable to do so. Reasonableness shall be determined under the criteria set forth in this rule for determination of the initial payment.

5. Any payments made by a customer in compliance with a payment agreement or otherwise shall first be considered made in payment of the previous account balance with any remainder credited to the current bill.

F. Termination for failure to enter into or comply with payment agreement. If a customer has failed to enter into or comply with the terms of a payment agreement, the utility shall have the right to disconnect pursuant to the procedures and requirements of PSC 298, 300, and 301, but subject to the restrictions contained in the minimum temperature restriction. If the utility has offered a deferred payment agreement and the customer has failed to enter into such agreement within the time provided herein, or if the customer has failed to comply with a payment agreement, then the utility shall notify the local welfare agency orally, followed by a written notice within five days, of their intent to discontinue service; the name and address of the customer, and telephone number if known; the name and address of any tenant occupying the residential unit if such tenant is not the customer of the utility, and telephone number of the tenant if known; and a statement of the amount then due and payable. The utility shall not terminate service until 10 days after the written notice is given to the local welfare agency.

G. Disputes. If a dispute arises concerning the reasonableness, application or performance of any payment agreement or modification of a payment agreement under this rule, the utility shall provide the customer with a copy of the Commission's customer service rules and the telephone number of the Department of Public Service together with a statement that the customer may call the Department for information and assistance. The Commission may resolve

any such dispute which cannot be resolved by the Department on an informal basis.

Disputes not involving a payment agreement shall be governed by PSC 303.

H. Exemptions. The Commission may grant variances from this rule upon a showing of good cause, and may suspend part or all of this rule in order to comply with federal regulations.

## State Board for Vocational Education

### Department of Education

#### Proposed Rules Governing Licensure of Vocational Education Personnel and the Repeal of Rule 5 MCAR § 1.0074

#### Notice of Hearing

Notice is hereby given that a public hearing will be held in the above-entitled matter in the State Office Building, Auditorium Room 83, Wabasha Street (between Aurora and Fuller), St. Paul, Minnesota 55155, on Friday, October 26 and Saturday, October 27, 1979, commencing at 9:00 a.m. and continuing until all interested or affected persons have had an opportunity to participate.

All representatives of associations or other interested groups and all interested or affected persons will have an opportunity to be heard concerning the adoption of the proposed rules captioned above by submitting either oral or written data, statements or arguments. Statements or briefs may be submitted by mail, without personally appearing at the hearing, to Mr. Peter C. Erickson, Office of Hearing Examiners, at Room 300, 1745 University Avenue, St. Paul, Minnesota 55104, telephone (612) 296-8118. For those wishing to submit written statements or exhibits, it is requested that at least three (3) copies be furnished. In addition, it is suggested to save time and avoid duplication, that those persons, organizations or associations having a common viewpoint or interest in these proceedings join together where possible and present a single statement on behalf of such interests. All such statements will be entered into and become part of the record. The conduct of the hearing will be governed by the rules of the Office of Hearing Examiners.

Notice is hereby given that 25 days prior to the hearing a Statement of Need and Reasonableness will be available for

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## PROPOSED RULES

review at the agency and at the Office of Hearing Examiners. This Statement of Need and Reasonableness will include a summary of all of the evidence which will be presented by the agency at the hearing, justifying both the need for and the reasonableness of the proposed rule/rules. Copies of the Statement of Need and Reasonableness may be obtained from the Office of Hearing Examiners at a minimal charge.

After the public hearing, written material may be submitted to the Hearing Examiner and recorded in the hearing record for five working days, or for a longer period not to exceed 20 calendar days if so ordered by the hearing examiner.

Notice: Any person may request notification of the date on which the hearing examiner's report will be available, after which date the agency may not take any final action on the rules for a period of five working days. Any person may request notification of the date on which the hearing record has been submitted (or resubmitted) to the Attorney General by the agency. If you desire to be so notified, you may so indicate at the hearing. After the hearing you may request notification by sending a written request to the hearing examiner (in the case of the hearing examiner's report) or to the agency (in the case of the agency's submission or resubmission to the Attorney General).

The Board proposes to adopt rules of the State Board of Education governing licensure of vocational education personnel and the repeal of rule 5 MCAR § 1.0074. Notice: The proposed rules are subject to change as a result of the rule hearing process. The agency therefore strongly urges those who are potentially affected in any manner by the substance of the proposed rules to participate in the rule hearing process.

A copy of the proposed rules is attached hereto. One free copy may be obtained by writing to the State Board for Vocational Education, Room 541, Capitol Square Building, St. Paul, Minnesota 55101. Additional copies will be available at the door on the date of the hearing.

The Board's statutory authority to promulgate the proposed rules is contained in Minn. Stat. § 125.185, subd. 4 (1978).

Under Minn. Stat. § 10A.01, subd. 11 (1978), as amended by Laws of 1979, ch. 59, § 3, a lobbyist must register with the State Ethical Practices Board within five (5) days after he commences lobbying. According to the statute, lobbyist means any individual:

(a) Engaged for pay or other consideration, or authorized by another individual or association to spend money, who spends more than five hours in any month or more than \$250, not including *his own* travel expenses and membership dues, in any year, for the purpose of attempting to influence legislative or administrative action by communicating or urging others to communicate with public officials; or

(b) Who spends more than \$250, not including *his own* traveling expenses and membership dues, in any year for the purpose of attempting to influence legislative or administra-

tive action by communicating or urging others to communicate with public officials.

Lobbyist does not include any:

(a) Public official or employee of the state or any of its political subdivisions or public bodies acting in his official capacity;

(b) Party or his representative appearing in a proceeding before a state board, commission or agency of the executive branch unless the board, commission or agency is taking administrative action;

(c) Individual wholly engaged in selling goods or services to be paid for by public funds;

(d) News media or their employees or agents while engaged in the publishing or broadcasting of news items, editorial comments or paid advertisements which directly or indirectly urge official action;

(e) Paid expert witness whose testimony is requested by the body before which he is appearing, but only to the extent of preparing or delivering testimony; or

(f) Stockholder of a family farm corporation as defined in § 500.24, subd. 1, who does not spend over \$250, excluding his own travel expenses, in any year in communicating with public officials; or

(g) Party or his representative appearing to present a claim to the legislature and communicating to legislators only by the filing of a claim form and supporting documents and by appearing at public hearings on the claim.

Questions regarding only lobbying should be directed to the State Ethical Practices Board, Room 41, State Office Building, Wabasha Street, St. Paul, Minnesota 55155; telephone (612) 296-5615.

August 20, 1979

Howard B. Casmeay  
Secretary

### Rules as Proposed (all new material)

#### Chapter Thirty-nine: Rules for Licensure of Vocational Education Personnel

**5 MCAR § 1.0780 Scope and definitions.** These rules govern the procedure for licensure, the duties, and the educational and occupational experience requirements for all vocational instructional, supportive, and administrative personnel who are required to be licensed. In order to be eligible for vocational licensure, an individual shall meet the minimum standards established by these rules for the area of licensure sought.

Definitions. For the purposes of 5 MCAR §§ 1.0780-1.0799 the words, phrases, and terms defined in this section shall have the meanings ascribed to them below.

A. Approved Minnesota institution — A Minnesota institution approved by the Board of Teaching pursuant to 5 MCAR § 3.140 to prepare persons for teacher licensure.

## PROPOSED RULES

B. Approved teacher educator — A faculty member who teaches professional vocational courses and is certificated as a vocational teacher educator in accordance with the requirements of the joint council for vocational teacher educators.

C. Approved vocational or cooperative center — A vocational or cooperative center approved by the state board for vocational education.

D. Approved vocational teacher education licensing program — A complete series of courses leading to a degree, a series of courses, or a single course in vocational education teaching offered at an approved Minnesota institution. Vocational teacher education licensing programs which meet the criteria set forth in 5 MCAR § 1.0787 of this rule shall be approved.

E. Authorized local vocational administrator — The licensed vocational administrator who has major responsibility for vocational education at the secondary, post-secondary, and/or adult level for a district, center, or area vocational-technical institute. The superintendent shall act as the authorized local administrator in the absence of a licensed vocational administrator. For purposes of licensure of vocational staff serving in nonpublic schools, the chief executive officer of the nonpublic school or a designee may be approved by the commissioner of education to act as the authorized local vocational administrator for the aforesaid school.

F. AVTI — Area vocational-technical institute.

G. Bicultural qualifications — The quality of being knowledgeable and sensitive to the ethnic and cultural aspects of the particular student groups to be worked with. Bicultural qualifications of an applicant for licensure shall be verified by the local school administrator.

H. Bilingual — The ability to communicate both orally and in writing in two or more languages, the first and principal language being English and the second language being relevant to the ethnicity of the students to be worked with. Bilingual qualifications of an applicant for licensure shall be verified by the local school administrator.

I. Clock hour — An hour of actual instruction or supervised group activities.

J. Clock hours (administrative and supervisory personnel) — For the purpose of renewal of five-year vocational administrative and supervisory licenses, clock hours accumulated from approved Minnesota vocational continuing education programs. Hours devoted to individual professional development activity for renewal of five-year administrative and supervisory licenses are in addition to specified clock hours and are not counted as clock hours.

K. Credit — Quarter college credits taken from an accredited college. One quarter credit shall equal 12 clock hours where applicable.

L. Course — For the purpose of a vocational teacher education licensing program, a planned, separate unit of instruction in a subject area.

M. DD Form 214 — The form verifying separation from military service obtained from the separating authority upon release from active service.

N. Director — A local vocational administrator including assistant directors.

O. Education degree — A baccalaureate or higher degree from an accredited college in a recognized educational field with at least 27 quarter credits in professional education courses and at least 6 quarter credits of student teaching.

P. Equivalent — An equation of content between two degrees or majors of different titles, as verified by a written statement from the corresponding department chairperson from an institution accredited to grant a degree or major in the area stated as a licensure requirement.

Q. Full-time educational service — 1,080 hours annually (e.g., six hours daily, five days per week, nine months or longer per year).

R. Full-time occupational service — 2,000 hours annually (e.g., eight hours daily, five days per week, 50 weeks per year).

S. Human relations program — A program approved by the board of teaching and designed to meet the human relations requirements for licensure of Minnesota educational personnel.

T. Initiator — The individual, agency, or institution that initiates and conducts vocational administrative and supervisory continuing education programs in accordance with 5 MCAR § 1.0796.

U. Leave — A preplanned experience relevant to the area of licensure being sought and consisting of a written educational objective with a defined structure taken in an agency, business, or industry and in addition to current employment.

V. Local vocational supervisor — The licensed vocational supervisor who has major responsibility for the development and supervision of local vocational programs in a vocational discipline or for supervision of a student personnel services area at the secondary, post-secondary, or adult level(s) for a district, center, or area vocational-technical institute, as assigned by the authorized local vocational administrator.

W. Occupational experience — Except where otherwise stated in these rules, paid work experience outside of education or teaching in a job or jobs directly related to the area of licensure being sought, with at least 500 hours within the five year period immediately preceding the date of application for licensure.

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## PROPOSED RULES

X. Office management experience — For the purpose of licensure as a model office instructor-manager, paid office management occupational experience accumulated while employed by a company or agency in a support position to upper management responsible for operation of the company or agency. Such office management experience shall include supervision of a minimum of seven office employees.

Y. Short term need for an instructor-substitute — A time period in which the maximum substitute assignment does not exceed 30 consecutive working days of employment in one assignment or an annual total of one-fourth of full-time employment as a substitute.

Z. Vocational teacher education core — The following five courses included in the teacher education sequence and offered through an approved Minnesota institution. At least three quarter credits taken at one of the approved Minnesota institutions or equivalent courses taken elsewhere that meet the broad objectives of the teacher education core, as verified by an approved Minnesota institution, shall be completed in each of the identified content areas:

1. introduction to vocational teaching,
2. vocational methods,
3. vocational course construction,
4. vocational tests and measurements, and
5. philosophy of vocational education.

AA. Vocational teacher education sequence (TES) — The vocational teacher education core, the human relations requirement and (for secondary level) the nine-week teaching internship, which shall be completed in a prescribed time frame to meet requirements for issuance of an entrance license, subsequent one-year renewals, and the first five-year license.

### **5 MCAR § 1.0781 General provisions for vocational licensure.**

A. License requirement. Licensed personnel shall meet licensure requirements set forth in these rules for the area(s) in which such personnel practice.

B. License issuance.

1. Licenses are issued by the school personnel services section within the Department of Education.

2. Fees.

a. License fees are established by the Board of Teaching and are nonrefundable except in accordance with the rules of the Board of Teaching.

b. Licensure application fee. A fee established by the Board of Teaching shall be charged to the applicant for each application for licensure or relicensure.

c. Petition fee. An individual may petition the Commissioner of Education for a qualifications reevaluation by committee review as set forth in 5 MCAR § 1.0788.

(1) Fee. A fee established by the Commissioner of Education shall be charged to the applicant to apply to the cost of the reevaluation.

(2) Waiver. Upon presentation of evidence by a government agency indicating that the applicant is unable to pay the petition fee, such fee may be waived by the Commissioner of Education.

C. License validity.

1. Date valid. Licenses become valid on the date of approval by the Commissioner of Education.

2. Valid license. To be considered licensed, an individual shall hold a valid license prior to receiving payment for services.

3. Corrections. Requests for corrections on licenses shall be made to the Commissioner of Education.

4. Expiration date. All licenses shall bear the date of issuance and shall expire the specified number of years from the July 1 nearest the date licensure was approved.

### **5 MCAR § 1.0782 Procedure for licensure of vocational instructional and supportive personnel.**

A. Qualification for licensure. An applicant shall meet the educational and occupational experience requirements stated in this rule for each area of licensure sought.

B. Licensure procedure.

1. Initial entrance vocational license.

a. Authorizing signature.

(1) General rule. Initial entrance licensure applications may be processed without the signature of an authorized local vocational administrator.

(2) Exception. Initial entrance licensure applications from adult supplementary instructors serving under 500 hours annually shall include the signature of an authorized local vocational administrator.

b. Issuance. An applicant who meets the requirements of one of the initial entrance license options set forth in B.1.c. of this rule (below) shall be issued an initial one-year or two-year entrance license depending upon the specific area of licensure sought.

c. Initial entrance license options:

(1) Option one — An applicant who meets the educational components and the occupational experience licensure requirements set forth in these rules shall be issued an entrance license.

(2) Option two — An applicant who does not meet the educational component of the licensure requirements, where applicable, shall be eligible to:

(a) substitute the vocational teacher education sequence set forth in 5 MCAR § 1.0784, or

(b) substitute completion of other designated teacher education sequences set forth in these rules, or

(c) substitute completion of all criterion examinations of a competency based vocational teacher education licensing program verified by an approved Minnesota

## PROPOSED RULES

institution as equivalent to the vocational teacher education sequence, or

(d) comply with the secondary provisional licensure provisions set forth in 5 MCAR § 1.0789, or

(e) comply with the special needs provisional licensure provisions set forth in 5 MCAR § 1.0792.

(3) Option three — An applicant who does not meet the occupational experience component of the licensure requirements, where applicable, shall be eligible to:

(a) meet an alternate form of occupational experience as set forth in 5 MCAR § 1.0783, or

(b) comply with the secondary provisional licensure provisions set forth in 5 MCAR § 1.0789.

(4) Option four — An applicant who does not meet the educational component and/or the occupational experience licensure requirements may petition the commissioner of education in writing for a qualifications reevaluation through committee review as set forth in 5 MCAR § 1.0788.

### 2. Renewed initial entrance vocational license.

#### a. Authorizing signature.

(1) General rule. Applications for renewed initial and subsequent one-year and two-year licenses shall be signed by the authorized local vocational administrator.

#### (2) Exceptions.

(a) Applicants not employed in a vocational program during the licensure period. An applicant for renewed initial and subsequent one-year and two-year licenses who has not been employed in a vocational program at any time during the licensure period shall contact an approved Minnesota teacher educator in the licensure field or an authorized local vocational administrator for consultation and for signature of the renewal recommendation.

(b) Field instructors. An application for a renewed initial or subsequent one-year license shall be signed by the commissioner of education when the applicant is a field instructor employed by the department of education.

b. Issuance. An applicant who meets the requirements of one of the renewed entrance license options set forth in B.2.c. of this rule (below) shall be issued a renewed initial entrance license.

#### c. Renewed entrance license options:

(1) Option one — An entrance license holder who has elected the vocational teacher education sequence option to fulfill the educational component of the licensure requirements shall comply with the renewal provisions set forth in 5 MCAR § 1.0784.

(2) Option two — An entrance license holder subject to other designated teacher education sequences in the area of licensure sought shall comply with the renewal provisions set forth therein.

### 3. Initial regular five-year vocational license.

#### a. Authorizing signature.

(1) General rule. Applications for the initial regular five-year vocational license shall be signed by the authorized local vocational administrator.

#### (2) Exceptions.

(a) Applicants not employed in a vocational program during the licensure period. An applicant for the initial regular five-year vocational license who has not been employed in a vocational program at any time during the licensure period shall contact an approved Minnesota teacher educator in the licensure field or an authorized local vocational administrator for consultation and for signature of the renewal recommendation.

(b) Field instructors. An application for the initial regular five-year vocational license shall be signed by the Commissioner of Education when the applicant is a field instructor employed by the department of education.

b. Issuance. An applicant who meets the requirements of one of the initial regular five-year vocational license options set forth in B.3.c. of this rule (below) shall be issued an initial regular five-year vocational license.

#### c. Initial regular five-year vocational license options:

(1) Option one — An entrance license holder who meets the educational component and the occupational experience requirements for each area of licensure sought and who subsequently completes relevant upgrading activities shall be issued a regular five-year vocational license upon expiration of such initial entrance license. The number of hours and the content of relevant upgrading activities shall be determined by the local vocational administrator, subject to review by the Commissioner of Education.

(2) Option two — An entrance license holder who meets occupational experience requirements and who completes the vocational teacher education sequence set forth in 5 MCAR § 1.0784 shall be issued a regular five-year vocational license upon expiration of the initial or renewed entrance license.

(3) Option three — An entrance license holder who meets occupational experience requirements and who completes the renewal provisions of the appropriate designated licensure sequence set forth in these rules shall be issued a regular five-year vocational license upon expiration of the initial or renewed entrance license.

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## PROPOSED RULES

(4) Option four — An entrance license holder who meets occupational experience requirements and who possesses a nonvocational degree in education shall be issued a regular five-year vocational license pursuant to option two. The introduction to vocational teaching course and the nine-week teaching internship may be deleted from the vocational teacher education sequence set forth in 5 MCAR § 1.0784.

(5) Option five — An entrance license holder who meets occupational experience requirements and who successfully completes criterion examinations of a competency based vocational teacher education licensing program verified by an approved Minnesota institution as equivalent to the vocational teacher education sequence shall be issued a regular five-year vocational license.

(6) Option six — An entrance license holder who meets occupational experience requirements and who subsequently completes the educational requirements while licensed pursuant to the secondary provisional license requirements set forth in 5 MCAR § 1.0789 shall be issued a regular five-year vocational license at the secondary level upon expiration of the secondary provisional license.

(7) Option seven — An entrance license holder who meets educational requirements and who subsequently completes occupational experience requirements while licensed pursuant to the secondary provisional licensing requirements set forth in 5 MCAR § 1.0789 shall be issued a regular five-year vocational license at the secondary level upon expiration of the secondary provisional license.

(8) Option eight — An entrance license holder who meets occupational experience requirements and who subsequently completes educational requirements while licensed pursuant to the special needs provisional license requirements set forth in 5 MCAR § 1.0792 shall be issued a regular five-year vocational license in the special needs area upon expiration of the special needs provisional license.

#### 4. Renewed regular five-year vocational license.

a. Authorizing signature. Applications for renewed initial and subsequent five-year vocational licenses shall be approved through the local vocational relicensure committee established pursuant to 5 MCAR § 1.0786, and signed by the chairperson thereof.

b. Issuance. A regular five-year vocational license holder who completes the continuing education requirements for relicensure set forth in 5 MCAR § 1.0786 shall be issued a renewed regular five-year vocational license.

#### 5. Substitute license.

##### a. Authorizing signature.

(1) Authorization. A substitute license in a specific occupational area shall be issued to meet the short-term need for an instructor-substitute as determined by the local vocational administrator. The authorized local vocational administrator and the designated representative of the specific vocational program advisory committee (5 MCAR § 1.0070

RR.) shall recommend to the Commissioner of Education the applicant(s) professionally and technically qualified in the specific occupational area to be taught, as verified by such administrator and representative.

(2) Signature. Applications for initial and subsequently renewed substitute licenses shall be signed by the authorized local vocational administrator and the designated representative.

(3) Filing. Evidence of the authorized local vocational administrator's and the designated representative's initial and subsequent recommendations shall be on file in the district, center, or AVTI and shall be made available for review.

b. Issuance. The Commissioner of Education shall issue a substitute license to an applicant:

(1) professionally and technically qualified in the specific occupational area to be taught, as verified by the authorized local vocational administrator and the designated representative, and

(2) recommended for substitute licensure by such administrator and representative as evidenced by the signature and filing requirements set forth in B.5.a.(2)-(3) of this rule (above).

##### c. Substitute license validity.

(1) Initial entrance substitute license. The initial entrance substitute license shall remain valid for a maximum period of two years. The maximum substitute assignment shall not exceed 30 consecutive working days of employment in one assignment or an annual total of one-fourth of full-time employment as a substitute.

(2) Renewed initial entrance substitute license. The renewed initial entrance substitute license may be issued for unlimited subsequent three-year periods upon the recommendation of the authorized local vocational administrator and the designated representative; however, the maximum substitute assignment shall not exceed 30 consecutive working days of employment in one assignment or an annual total of one-fourth of full-time employment as a substitute.

d. Adult supplementary licensure. A vocational license at the adult supplementary level set forth in 5 MCAR § 1.0791 in the specific occupational area to be taught as a substitute may be utilized as a substitute license at the secondary and post-secondary level; however, the maximum substitute assignment shall not exceed 30 consecutive working days of employment in one assignment or 500 hours of total annual combined substitute and adult teaching hours.

C. New instructional positions. When emerging occupations, innovative, experimental, or exemplary programs create instructional positions which are not provided for in existing licensing criteria, the Commissioner of Education may recommend the formulation of licensing criteria and licensure in compliance therewith. Such licensing criteria shall become a part of these rules pursuant to the procedures set forth in Minn. Stat. § 15.0411 *et seq.*

## PROPOSED RULES

### 5 MCAR § 1.0783 Occupational experience requirements.

A. Occupational experience. Except where otherwise stated in these rules, occupational experience shall mean paid work experience outside of education or teaching in a job or jobs directly related to the area of licensure being sought and shall include at least 500 hours within the five years immediately preceding the date of application for licensure

B. Alternate forms of occupational experience.

1. Directed occupational experience. Except where otherwise stated in these rules, occupational experience requirements may be met by substituting one hour of pre-planned occupational experience directed through an approved vocational teacher education licensing program for each two hours of the regular occupational experience requirement. The Commissioner of Education in consultation with the appropriate vocational program supervisors may make arrangements with colleges and universities to provide directed work experience supervision.

2. Competency based occupational examinations. Evidence of successful completion of competency based occupational examinations preapproved by the state board for vocational education shall be accepted as proof of occupational competence in lieu of two-thirds of the occupational experience requirements. This alternate form of occupational experience shall not be available when the competency based occupational examination is the same examination taken by the applicant to obtain licensure to practice in the particular occupation.

3. Preapproved seminar or internship. A seminar or internship preapproved by the state board for vocational education may be used to meet the 500 hour occupational experience recency requirement for licensure areas that do not involve teaching of occupational skills. These areas include administrators, counselors, related instructors, student personnel service staff, special needs categories, instructional resources specialists, and endorsement for instructor-coordinators.

4. Vocational administrative or supervisory experience. Paid vocational administrative or supervisory experience may be used to meet the 500 hours occupational experience recency requirement for administrator or supervisor licensure.

5. Military experience.

a. Occupational experience in the military, as verified by a DD Form 214, directly related to the area of licensure sought shall be accepted for a maximum of two-thirds of the total occupational experience required for regular secondary and post-secondary vocational licensure.

b. Two-year provisional license. An applicant presenting military hours, as verified by a DD Form 214, directly related to the license being sought in sufficient number to equal the total requirement shall be provisionally licensed for two years.

c. Two-year provisional license renewal. Renewal of the two-year provisional license shall be contingent upon accumulation of the remaining hours of occupational experience (one-third of the total requirement) from civilian occupational experience or satisfactory progress on an individualized program in the related discipline area. The individualized program, preapproved by the appropriate state supervisor, shall be completed before a regular vocational license is issued. To be approved, an individualized program shall contain components which will allow the applicant to complete the occupational experience requirement.

6. Education aide-child care and guidance programs. An applicant for licensure to teach education aide-child care and guidance may apply relevant instructional experience with students at the age level consistent with the vocational program toward the occupational experience requirements.

7. Self-employment experience.

a. Applicability. Occupational experience obtained through self-employment directly related to the area of licensure sought shall be accepted for the total occupational experience required for vocational licensure when:

(1) self-employment hours have constituted paid occupational experience, as verified by department of revenue records, and

(2) self-employment hours have been earned within a traditional business or industry setting.

b. Limitation. Occupational experience obtained through self-employment directly related to the area of licensure sought shall be accepted for a maximum of two-thirds of the total occupational experience required for vocational licensure when:

(1) self-employment hours have constituted paid occupational experience, as verified by department of revenue records, and

(2) self-employment hours have been earned outside of a traditional business or industry setting.

### 5 MCAR § 1.0784 Vocational teacher education sequence.

A. Educational requirements. When indicated by the licensure criteria, an applicant who does not meet the educational component of the licensure requirements may substitute the vocational teacher education sequence.

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B. Occupational experience requirements. In addition to the educational substitution provisions set forth in E., F., and G. of this rule (below), an applicant shall meet the occupational experience requirements set forth in the corresponding licensure chart for each area of licensure sought.

C. Vocational teacher education core:

1. introduction to vocational teaching,
2. vocational methods,
3. vocational course construction,
4. vocational tests and measurements, and
5. philosophy of vocational education.

D. Initial two-year entrance vocational license.

1. Issuance. An initial two-year entrance vocational license shall be issued upon completion of the three-credit introduction to vocational teaching course.

2. Teaching internship. An applicant for secondary initial two-year entrance vocational licensure shall also verify prearrangement for a nine-week teaching internship with an approved Minnesota institution. The internship shall be completed during the first 18 weeks of employment as a vocational teacher. Previous student teaching in an approved vocational teacher education licensing program or 1,080 hours of previous, paid teaching experience in an approved educational program may be substituted for the teaching internship.

3. Emergency situations. When there is an immediate need for a teacher replacement or addition and an instructor licensed in the needed licensure area is not reasonably available, an initial two-year entrance vocational license shall be issued when all of the following requirements have been met:

- a. An applicant meets technical and occupational experience requirements.
- b. An applicant submits to the Commissioner of Education the application for vocational licensure and evidence of prearrangement with an approved Minnesota institution for completion of the introduction to vocational teaching course within the first 24 weeks of teaching.
- c. An applicant submits verification of enrollment in the teaching internship set forth in D.2. of this rule (above), when the emergency entrance license is for a replacement or addition at the secondary level.

4. Nonvocational degree in education. An applicant for initial entrance licensure who has a nonvocational degree in education and has met one of the occupational experience options set forth in 5 MCAR § 1.0783 shall be eligible for an initial two-year entrance vocational license without meeting the requirements set forth in D.1. and D.2. of this rule (above).

E. Renewed initial entrance vocational license.

1. First one-year renewal. The first one-year renewal of an initial entrance vocational license shall be issued upon completion of the human relations requirement and an addi-

tional three credits selected from the vocational teacher education core.

2. Subsequent one-year renewals. Subsequent one-year renewals of vocational licenses shall be issued upon completion of a minimum of an additional three credits selected from the vocational teacher education core. An individual may request renewals of a one-year renewed initial entrance vocational license until requirements for the initial regular five-year vocational license have been met.

F. Initial regular five-year vocational license.

1. Issuance. The initial regular five-year vocational license shall be issued upon completion of three credits in each of the five core courses through an approved vocational teacher education licensing program at an approved Minnesota institution.

2. Nonvocational degree in education. An instructor with a nonvocational degree in education shall meet the five-year teacher education sequence requirements by completing the vocational teacher education core set forth in C.1.-5. of this rule (above), excluding the introduction to vocational teaching course and the nine-week teaching internship, pursuant to the renewal procedures set forth in D.4.-F.1. of this rule (above).

G. Endorsements. An applicant adding an additional licensure category or level of student shall meet current educational and occupational experience requirements for an entrance license in the category and level of student to be endorsed.

H. Substitution for the introduction to vocational teaching course and the vocational methods course. An applicant requesting an additional licensure category or level of student who has *all* of the following qualifications may substitute those qualifications for the introduction to vocational teaching course and the vocational methods course:

1. prior completion of the 192 clock hour vocational teacher education sequence, and
2. a current five-year vocational license, and
3. one year of previous paid teaching experience on a vocational license.

I. Substitution for the introduction to vocational teaching course. An applicant for licensure who has *one* of the following qualifications may substitute such qualification for the introduction to vocational teaching course:

1. prior completion of the 192 clock hour vocational teacher education sequence, or
2. prior completion of at least two of the core courses, or
3. prior completion of at least six quarter credits of vocational education.

### 5 MCAR § 1.0785 Human relations.

A. Requirement.

## PROPOSED RULES

1. Mandatory. Vocational personnel who function in a half-time or greater capacity (i.e., three hours or more daily on a nine-month or longer basis, or five hours or more daily on a five-month or longer basis) shall complete the human relations components for vocational licensing or relicensing.

2. Optional. Vocational personnel who function in less than a half-time capacity are encouraged, although not required, to participate in an approved human relations program. Personnel whose initial licensing was contingent upon possession of a baccalaureate or higher degree shall not be eligible for the part-time human relations waiver as described in this paragraph.

3. Exemption. Applicants who are eligible for the exemption pursuant to A.2. of this rule (above) shall submit verification of eligibility for such exemption from the authorized local vocational administrator.

### B. Human relations program.

1. Approved program. The human relations requirement shall be met by completion of a human relations program approved by the Minnesota Board of Teaching.

2. Substitution. All or a portion of the human relations requirements may be met by substituting prior experiences or programs when verified as equivalent by the administrator of an approved Minnesota human relations program.

3. Request for substitution. Requests for substitution and for verification of equivalency shall be submitted by the applicant to the administrator of an approved human relations program.

C. Initial entrance license. Otherwise qualified new personnel submitting their first applications for vocational licensing pursuant to A.1. of this rule (above) shall be granted an initial entrance license to allow time for completion of the human relations program.

### 5 MCAR § 1.0786 Continuing education requirements for relicensure of vocational instructional and supportive personnel.

#### A. Renewed regular five-year vocational license.

1. Issuance. Vocational instructional and supportive personnel holding valid regular five-year vocational licenses shall be issued a renewed regular five-year vocational license when the following requirements have been met during the five-year period immediately preceding the date on which the requested renewal is to be made effective.

a. The applicant has been recommended for relicensure by the local vocational relicensure committee created pursuant to B. of this rule (below).

b. The applicant has completed 108 clock hours of

updating activities chosen from among the activities set forth in C.2.c.(1)-(7) of this rule (below) in two or more types of activities that have been preapproved by the local vocational relicensure committee. Evidence of completion shall have been provided to that committee.

2. Applications for renewal. Applications for renewal shall be accepted by the commissioner of education after January 1 of the year of expiration; provided, however, that the renewal period shall commence on the expiration date (July 1).

a. Excess hours. An applicant for renewal who earns approved clock hours in excess of the number required for renewal in this rule may not apply any excess hours to future renewals.

b. Renewal cycles. Clock hours used to meet renewal requirements for one five-year renewal cycle may not be applied toward future five-year renewal cycles.

#### B. Local vocational relicensure committee.

##### 1. Local vocational relicensure committee formation.

a. Eligible voting personnel. Vocational personnel practicing on a valid regular five-year vocational license or on a valid vocational license on a sequence preparatory to obtaining a regular five-year vocational license in a school district (district), an approved vocational or cooperative center (center), or nonpublic school shall constitute the eligible voting personnel. Authorized local vocational administrators and supervisors shall not constitute eligible voting personnel.

b. Members. The committee shall include both secondary and post-secondary members when both levels are served.

c. Selection procedure. The eligible voting personnel shall hold a meeting for the purpose of selecting one of the local vocational relicensure committee options set forth in B.2. and B.3. of this rule (below). This selection procedure shall be supervised by an eligible voting member or the chairperson of the local continuing education committee established pursuant to Minn. Stat. § 125.187, subd. 4.

##### 2. Local vocational relicensure committee options.

a. Option A — The existing local continuing education committee may be utilized except that five eligible voting personnel members practicing on a valid vocational license shall replace the teaching faculty members of the existing committee whenever applications for vocational relicensure are considered. The five teaching faculty replacements shall be elected by secret ballot of the eligible voting personnel of the district, center, or nonpublic school.

b. Option B — A local vocational relicensure committee separate from the existing local continuing education committee may be formed. Such committee shall include:

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## PROPOSED RULES

(1) five eligible voting personnel members practicing on a valid vocational license in the district, center, or nonpublic school elected by secret ballot of the eligible voting staff in the district, center, or nonpublic schools.

(2) one authorized local vocational administrator or supervisor practicing on a valid vocational administrator or supervisor license in the district or center elected by the licensed, practicing vocational administrators and supervisors of the district or center. In nonpublic schools, one authorized local vocational administrator shall be elected by the authorized local vocational administrators of the nonpublic school(s).

(3) one resident of the geographic area serviced by the district, center, or nonpublic school designated by the local school board or the governing board or chief executive officer of the nonpublic school. The resident shall not be an employee of the district, center, or nonpublic school. School board and governing board members shall not be considered to be employees of the district, center, or nonpublic school.

c. Option C — Vocational personnel in two or more districts, centers, or nonpublic schools situated in close proximity may jointly operate with regard to the mandatory application of committee options A or B, set forth above, for the purpose of effecting the composition of the local committee and method of identification of committee members. Such joint operation shall be ratified by a majority of the eligible voting personnel casting a vote in such decision within each district, center or nonpublic school.

d. Option D — The existing local continuing education committee may be utilized with no change in composition.

### 3. Mandatory application of committee options.

a. Districts, centers, or nonpublic schools employing fewer than five eligible voting vocational personnel members shall utilize option C or option D.

b. Districts, centers, or nonpublic schools employing more than four but fewer than nine eligible voting vocational personnel members shall utilize option A, option C, or option D.

c. Districts, centers, or nonpublic schools employing more than eight but fewer than twenty-five eligible voting vocational personnel members shall utilize option A or option C.

d. Districts, centers, or nonpublic schools which employ more than 24 eligible voting vocational personnel members shall utilize option A, option B, or option C.

4. Committee member term of office. Members of the local relicensure committee shall serve a two-year term except for the initial election when two eligible voting personnel members and one resident member shall be elected for one-year terms. All terms shall commence on September 1 of the year in which elected.

### 5. Local vocational relicensure committee jurisdiction.

The local vocational relicensure committee shall have jurisdiction over regular five-year vocational license renewal procedures, as provided in these rules, for the entire district, center, or nonpublic school service area in which it is formed to operate.

### 6. Local vocational relicensure committee affiliation.

a. Applicants subject to the local vocational relicensure committee.

(1) Full-time and part-time vocational personnel (except for authorized local vocational administrators and supervisors) holding valid regular five-year vocational licenses in the district, center, or non-public school shall affiliate with the local vocational relicensure committee in the district, center, or nonpublic school in which employed.

(2) Except as set forth in B.6.a.(3) and (6) of this rule (below), full-time and part-time vocational personnel (except for authorized local vocational administrators and supervisors) not employed at the time of application for relicensure shall affiliate with the local vocational relicensure committee in the district, center, or nonpublic school in which they were last employed or in the school district wherein the applicant resides.

(3) Full-time and part-time vocational personnel (except for authorized local vocational administrators and supervisors) never employed by a district, center, or nonpublic school shall affiliate with a Minnesota vocational relicensure committee, preferably a committee servicing the geographic area wherein the applicant resides.

(4) Persons residing in states other than Minnesota who are unable to affiliate with a Minnesota local vocational relicensure committee for renewal of the continuing license may apply to the Commissioner of Education for a two-year license.

(a) Recommendation. Upon verification of completion of 108 clock hours of upgrading activities set forth in C.2.c.(1)-(7) of this rule (below), such two-year relicensure shall be recommended by the Commissioner of Education.

(b) Subsequent two-year relicensure. Subsequent two-year relicensure shall require verification of completion of upgrading activities considered by the Commissioner of Education as sufficient to maintain currency in the field.

(5) Nonpublic school vocationally licensed teachers may arrange to have clock hours granted by the district or center of residence if the employing school does not establish a local vocational relicensure committee.

(6) Field instructors employed by the Department of Education, Division of Vocational-Technical Education, may affiliate with the district in which they last taught or the district or center nearest their residence or place of employment.

b. Applicants not subject to a local vocational relicensure committee.

## PROPOSED RULES

(1) authorized local vocational administrators and supervisors,

(2) personnel currently holding a two-year vocational license or renewal, a one-year permit or renewal, or a three-year adult supplementary license, and

(3) personnel currently holding limited licenses (e.g., adult supplementary or limited services personnel).

c. Applicant's responsibility. An applicant shall be responsible for forwarding the form endorsed by the committee to the Commissioner of Education. An applicant shall be individually responsible for initiating the necessary work of the local relicensure committee in renewing the regular five-year vocational license of such applicant. Any failure to initiate and/or complete the procedure shall be the responsibility of the holder of the license and not the local vocational relicensure committee.

7. Local vocational relicensure committee duties. The local vocational relicensure committee shall:

a. hold an organizational meeting called no later than the last day of September on a date which is agreeable to the majority of committee members,

b. set rules for its own operation establishing election procedures, a method of filling vacancies, and a system of recordkeeping and reporting. Records shall be maintained so that they are safe from loss and kept on file at least through the duration of the license to which they apply,

c. establish such written guidelines as may be necessary to implement its duties. The guidelines shall not be in conflict with these rules,

d. determine the number of clock hours to be granted for experiences in accordance with the maximum clock hour allocations set forth in C.2.c.(1)-(7) of this rule (below),

e. act upon requests for preapproval of clock hours, and grant clock hours after participation in the approved activity,

f. act, within a reasonable time, upon requests for recommendation for renewal of the vocational license by determining whether the applicant has met the requirements set forth in these rules,

g. endorse the application for renewal of the vocational license of each qualified applicant as verified by the signature of the chairperson on the renewal application. The secretary shall co-sign the application of the chairperson,

h. provide annual written recommendations to the authorized local vocational administrator concerning inservice needs of the district, center, or nonpublic school,

i. forward to the Commissioner of Education verification of the membership of the local vocational relicensure committee on an annual basis by November 1 of each year,

j. forward to the Commissioner of Education a copy of the local vocational relicensure committee guidelines. Guidelines shall be forwarded at least every five years and whenever substantial changes are made,

k. hold an annual open hearing to allow the teachers in each district, center, or nonpublic school to review the guidelines established by the local vocational relicensure committee, and

l. provide those services and reports that may be required regarding continuing education relicensure.

8. Membership participation. A quorum shall be more than 50 percent of the total voting membership of the committee. A majority vote of those voting members in attendance shall be sufficient to take action.

### C. Updating activities.

1. Local vocational relicensure committee preapproval. All upgrading activities (clock hours) required for renewal of the regular five-year vocational license shall be preapproved by the local vocational relicensure committee in the district, center, or nonpublic school, subject to review by the Commissioner of Education to insure compliance with these rules. The local guidelines shall include a procedure for emergency preapproval during periods when the committee is not regularly meeting.

#### 2. Types of activities.

a. The requisite 108 clock hours of updating activities taken within the five-year period shall be relevant to the area of licensure sought.

b. Learning objectives or new competencies to be developed by participating in the updating activity shall be included on the local preapproval form.

c. The requisite 108 clock hours shall be earned from among the following categories and shall be allocated as follows:

(1) Committee preapproved upgrading occupational experience relevant to the area of licensure shall be rated at one clock hour for every four hours of work.

(2) Credit courses in the area of licensure or education courses shall be rated at 12 clock hours for every quarter credit earned.

(3) Conferences, institutes, or seminars in business and industry in the occupation taught shall be rated up to one clock hour for each hour of participation by the local vocational relicensure committee, in accordance with the local guidelines established pursuant to this rule.

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## PROPOSED RULES

(4) Educational workshops or continuing education in the occupation to be taught shall be rated up to one clock hour for each hour of participation by the local vocational relicensure committee, in accordance with the local guidelines established pursuant to this rule.

(5) Updating leaves relevant to the area of licensure taken in agencies, businesses, or industries shall be rated on a clock hour basis. A maximum of 60 clock hours may be credited toward the required 108 clock hours.

(6) Regional, statewide, or national curriculum design activities shall be rated on a clock hour basis at the discretion of the local vocational relicensure committee, in accordance with the local guidelines established pursuant to this rule.

(7) Service as a voting member of an occupational advisory committee shall be rated on a clock hour basis at the discretion of the local vocational relicensure committee, in accordance with the local guidelines established pursuant to this rule.

3. Reevaluation procedure. If upgrading activities are initially disapproved by the local vocational relicensure com-

mittee, the decision may be reevaluated by the following sources in the following order pursuant to appeal procedures established in 5 MCAR § § 3.005 and 3.020:

- a. the local vocational relicensure committee,
- b. the Board of Teaching, which shall be considered the final decision.

4. Application for multiple relicensure. An applicant applying for relicensure in more than one area shall earn renewal clock hours in at least two activity categories with a part of the total 108 clock hours earned in each area of relicensure sought.

D. Reactivation of lapsed regular five-year vocational licenses. Reactivation of lapsed regular five-year vocational licenses (expired one or more fiscal years) shall require satisfactory completion of no less than:

1. 108 clock hours of updating activities as required for renewal of the regular five-year vocational license set forth in A.1.b. of this rule (above), and
2. initial entrance licensure requirements for the area of relicensure sought existing at the time of application for reactivation of the lapsed license.



"DEE LOG CABIN" in Rochester, Minnesota was built in 1862. It was later purchased by Andrew S. Seeverts. In 1911 Seeverts gave the cabin to Drs. Mayo who moved it to May Park as a memorial to their father, W. W. Mayo. (Courtesy of Olmsted County Historical Society)

## PROPOSED RULES

### 5 MCAR § 1.0787 Vocational teacher education licensing programs.

A. Approval by Board of Teaching. Minnesota institutions approved by the Board of Teaching to prepare persons for vocational teaching licensure shall obtain approval from the Board of Teaching for vocational teacher education licensing programs.

#### B. Programs subject to approval.

1. Vocational teacher education licensing programs. Approval procedures shall apply to all vocational teacher education licensing programs used to satisfy:

a. requirements for the initial entrance vocational license, and

b. specific competencies mandated for renewal licenses or endorsements of additional licensure categories or levels of student.

2. Form. Vocational teacher education licensing programs may consist of one course, a series of courses, or a complete degree program.

#### C. Approval procedure.

1. Vocational teacher education licensing program descriptions. Each approved Minnesota institution shall forward a program description of each vocational teacher education licensing program from the administrator of the defined administrative and instructional unit of that institution to the board of teaching for approval.

2. Consultative services. The Board of Teaching shall route the program description to the division of vocational-technical education pursuant to the agreement for the provision of consultative services.

#### D. Program approval.

1. Board of Teaching options. Based upon appraisal of the vocational teacher education licensing program descriptions prepared by the approved Minnesota institution and the evaluation report of the auditors the Board of Teaching shall:

a. grant initial approval pursuant to D.2. of this rule (below), or

b. grant conditional approval pursuant to D.3. of this rule (below), or

c. grant continuing approval pursuant to E.2. of this rule (below), or

d. revoke or suspend approval pursuant to D.4. of this rule (below), or

e. disapprove the vocational teacher education licensing program pursuant to D.5. of this rule (below).

#### 2. Initial approval.

a. Criteria for approval. A vocational teacher education licensing program which meets the following criteria shall be approved to prepare vocational teachers. The program description shall include:

(1) a statement which verifies the institutional commitment to the vocational teacher education licensing program,

(2) a description of the institutional organizational structure and procedure for implementing the vocational teacher education licensing program,

(3) a description of the vocational teacher role for which persons who enroll in the vocational teacher education licensing program are being prepared,

(4) an enumeration of the specific knowledge, skills and understandings to be achieved by persons completing the vocational teacher education licensing program,

(5) evidence that the vocational teacher education licensing program meets the licensure requirements for the particular licensure field and level for which the specific program is designed, as set forth in the corresponding rule section,

(6) a specific description of the plans for assessing the performance of each person verified as having successfully completed the vocational teacher education licensing program,

(7) evidence that the necessary faculty and physical resources are allocated to implement and maintain the vocational teacher education licensing program. Faculty who teach professional vocational courses shall be certificated as vocational teacher educators in accordance with the requirements of the joint council for vocational teacher educators,

(8) verification that the following persons or groups have participated in the development of the vocational teacher education licensing program:

(a) licensed, practicing vocational teachers;

(b) vocational school administrators;

(c) institutional advisory council;

(d) joint council of vocational teacher educators;

(e) college departments which may be involved with the vocational teacher education licensing program;

(f) interested citizens; and

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## PROPOSED RULES

(g) appropriate state supervisory staff.

(9) a description of the procedures to establish and maintain an internal process for systematic evaluation of the vocational teacher education licensing program, and

(10) when the licensure rule so stipulates, a student teaching and/or internship component and a statement which verifies that those experiences are planned, supervised and evaluated in the licensure field in which the individuals will seek their vocational teaching licenses.

b. Variations in curricular design. Vocational teacher education licensing programs which vary in curricular design shall be approved provided that program components meet the criteria for approval set forth in D.2.a.(1)-(10) of this rule (above), and the components are designed to provide persons completing each teacher education licensing program with the knowledge, skills, and understandings enumerated therein.

### 3. Conditional approval.

a. Procedure. When granting conditional approval, the Board of Teaching shall state the conditions, establish timelines for meeting the stated conditions, and reconsider the approval status of the vocational teacher education licensing program upon verification by the executive secretary of the Board of Teaching that the stated conditions have been met.

b. Withdrawal of conditional approval. If stated conditions are not met within the established timelines, conditional approval shall be withdrawn.

### 4. Revocation or suspension of approval.

a. Noncompliance. Failure to comply with the criteria for approval set forth in D.2.a.(1)-(10) of this rule (above) after initial approval is granted, shall result in revocation or suspension of approval by the Board of Teaching.

b. Revision of program. When an institution makes revisions in an approved vocational teacher education licensing program, the administrator of the administrative and instructional unit of the institution shall forward to the executive secretary of the Board of Teaching a written description of the vocational teacher education licensing program revision.

(1) Audit. A consultation audit, as set forth in E.2.a. of this rule (below), shall be made to verify that the revised approved vocational teacher education licensing program continues to meet these rules.

(2) Revocation or suspension. The Board of Teaching shall revoke or suspend the approval of a vocational teacher education licensing program if it determines that, as revised, the vocational teacher education licensing program no longer meets the criteria required for approval set forth in D.2.a.(1)-(10) of this rule (above).

c. Termination date. The Board of Teaching shall stipulate a date upon which program approval shall be termi-

nated if the vocational teacher education licensing program fails to regain compliance with the criteria required for approval set forth in D.2.a.(1)-(10) of this rule (above) by said date.

5. Disapproval. When a program description fails to meet the criteria for approval set forth in D.2.a.(1)-(10) of this rule (above) upon the initial application for approval, the Board of Teaching shall disapprove such program and shall specifically state reasons for disapproval.

E. Evaluation procedure and subsequent audits. Programs for which approval is requested shall be evaluated for initial approval and audited for continued approval thereafter in accordance with the provisions herein.

1. Initial approval. The approved Minnesota institution shall submit to the Board of Teaching the vocational teacher education licensing program description for evaluation and recommendation regarding approval status. The Board of Teaching staff, or persons designated as auditors by the Board of Teaching staff, may visit the institution to verify the program description, if deemed necessary.

### 2. Continuing approval.

a. Consultation audit. During the operation of an approved vocational teacher education licensing program, an audit visit to verify that the approved program meets the provisions of this rule may be arranged in consultation with the institution. Auditors shall forward a report of their findings to the executive secretary of the Board of Teaching and to the institution.

b. Five-year audit. The Board of Teaching staff, or persons designated as auditors by the Board of Teaching staff, in consultation with the institution, shall make audit visits on a five-year cycle to verify program descriptions and to make a recommendation regarding initial or continuing approval status of each vocational teacher education licensing program. Expenses of auditors shall be reimbursed in accordance with Minnesota travel regulations in force at the time the expenses are incurred.

F. Reevaluation procedure. Decisions regarding the status of vocational teacher education licensing program(s) rendered by the Board of Teaching pursuant to D.1. of this rule (above), may be reevaluated by the Board of Teaching, which shall be considered to be the final decision.

### 5 MCAR § 1.0788 Committee review.

A. Availability. An individual not meeting the vocational licensure requirements set forth in these rules may petition the Commissioner of Education for a qualification reevaluation through committee review.

### B. Review committee formation.

1. Appointment procedure. The Commissioner of Education shall appoint a review committee of a minimum of three people.

2. Members. The review committee shall include:

## PROPOSED RULES

- a. a vocational educator,
- b. a licensed practitioner in the petitioned educational licensure area,
- c. an occupational representative,
- d. a member of the public, if available.

3. Votes. Each member of the review committee shall have one vote.

### C. Committee duties.

1. Qualification reevaluation. The review committee shall reevaluate the petitioner's qualifications, concentrating on deficiencies identified by the licensure process.

2. Committee judgement. Committee review members shall exercise professional judgement based upon their expertise and their relevant work experience in the petitioned area.

3. Competency evaluation. The petitioner's competencies shall be evaluated in relation to the following criteria in accordance with the educational objectives and the appropriate rules pertaining to the particular area and level of licensure requested:

- a. the vocational objectives and implementation methods of the program in the petitioned area and/or,
- b. the components of the program in the petitioned area and/or,
- c. the job descriptions for the petitioned area.

4. Committee recommendations. Recommendations of the review committee shall be reported in writing to the Commissioner of Education.

5. Recommendation of licensure. Licensure shall be recommended if the review committee finds that the petitioner's qualifications are equivalent to the licensure standards set forth in these rules.

D. Petitioner demonstration. The petitioner shall demonstrate a basic understanding in the following areas as they relate to deficiencies identified by the licensure process.

1. Vocational philosophy and organization. The petitioner shall demonstrate:

- a. an understanding of state and federal vocational policies, rules, regulations, and laws, and
- b. an understanding of the principles and skills incorporated in the broad objectives of the teacher education sequence core courses.

2. Vocational teacher education and application. The petitioner shall demonstrate:

- a. the ability to communicate and to develop in students the knowledge and skills needed for employment,

- b. an awareness of current occupational opportunities and needs, and

- c. knowledge and skills essential to identify, construct, initiate, implement, and evaluate relevant vocational curriculum.

3. Occupational skills and understanding. The petitioner shall demonstrate:

- a. knowledge of, and skills in, current and relevant technologies and occupational practices, and

- b. an understanding of the employment context in such areas as unions, governmental regulations, and employer-employee relationships.

4. Relationship between vocational education and community. The petitioner shall:

- a. understand and demonstrate a concern for the student as an individual and community member, for the economic progress of the community, and for the relationship and responsibility of the school to both its students and its community, and

- b. demonstrate knowledge of community resources useful in the development and implementation of relevant vocational programs.

E. Reexamination by committee review. Petitioners who have been denied licensure or relicensure by the review committee shall be eligible for reexamination by committee review only after one year has elapsed since the previous examination.

F. Appeal procedure. A petitioner questioning an adverse recommendation by the review committee may submit a written appeal relative to the areas over which there is disagreement with the committee's recommendation pursuant to the appeal procedures of the board of teaching established in 5 MCAR § 3.020.

### **5 MCAR § 1.0789 Secondary vocational instructional personnel.**

A. Qualification for licensure. An applicant (excluding secondary provisional license applicants) shall meet the requirements in the secondary licensure chart set forth in 5 MCAR § 1.0799 and the general provisions and procedure for licensure of instructional and supportive personnel.

B. Personnel who shall be licensed.

1. Secondary vocational instructor and instructor-manager of programs where simulation is the basis for the program. Any person holding a position as a secondary vocational instructor or instructor-manager of programs where simulation is the basis for the program shall be licensed pursuant to these rules when responsible for any of the following activities:

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## PROPOSED RULES

- a. developing, teaching, and evaluating instruction in areas assigned, including programs involving simulation and laboratory activities,
- b. facility and resource management,
- c. forming and utilizing a vocational advisory committee,
- d. relevant school-community relations,
- e. vocational student organizations,
- f. student vocational and occupational guidance and evaluation in development of skills meeting vocational objectives, as set forth in 5 MCAR § 1.00811 B.1-3, and required for proficiency in the identified area of employment, and
- g. personal professional and technical development.

2. Secondary vocational instructor-coordinator. Any person holding a position as a secondary vocational instructor coordinator shall be licensed pursuant to these rules when responsible for any of the following activities:

- a. identifying and selecting appropriate training stations and placing students in those respective stations,
- b. student training plans, student training agreements, completing all state and federal labor law forms required, and complying with those respective state and federal labor law rules and regulations,
- c. supervising students on the job and communicating with the employer relative to the student's performance and the objectives of the student's training plan, and
- d. all activities set forth in B.1.a.-g. of this rule (above).

### C. Secondary provisional license.

1. Eligibility. An applicant for secondary provisional licensure as an instructor, model office instructor-manager, or instructor coordinator shall meet the requirements set forth in this rule.

a. Instructor. An applicant shall be eligible for a secondary provisional license which allows completion of up to the final one-third of the occupational experience required for the requested licensure during the provisional licensure period when such applicant:

- (1) is eligible for secondary provisional licensure pursuant to the secondary licensure chart set forth in 5 MCAR § 1.0799, and
- (2) has completed an education degree, and
- (3) has completed at least two-thirds of the occupational experience required for the requested licensure, and
- (4) has submitted a request for provisional licensure signed by the authorized local vocational administrator. Such request shall include verification by the requesting

administrator that no fully qualified, licensed individual is available to fill an existing position, and

(5) has met all other licensure requirements pursuant to the secondary licensure chart set forth in 5 MCAR § 1.0799.

### b. Model office instructor-manager.

(1) An applicant may complete the final one-third of the occupational experience required for the requested licensure during the provisional licensure period when such applicant has met all requirements of B.1.a.(1)-(5) of this rule (above).

(2) An applicant may complete the final one-third of the specialized courses required for model office licensure, excluding the materials and methods of model office course, when such applicant has met all requirements of B.1.a.(1)-(5) of this rule (above).

### c. Instructor-coordinator.

(1) An applicant (excluding business and office instructor-coordinator applicants) may complete the final one-third of the specialized course requirements, excluding the coordination techniques course, when such applicant:

- (a) is eligible for secondary provisional licensure pursuant to the secondary licensure chart set forth in 5 MCAR § 1.0799, and
- (b) has completed an education degree, and
- (c) has completed the total occupational experience required for the requested licensure, and
- (d) has submitted a request for provisional licensure signed by the authorized local vocational administrator. Such request shall include verification by the requesting administrator that no fully qualified, licensed individual is available to fill an existing position, and
- (e) has met all other licensure requirements pursuant to the secondary licensure chart set forth in 5 MCAR § 1.0799.

(2) An applicant for business and office instructor-coordinator licensure may complete the final one-third of the specialized course requirements, excluding the coordination techniques and materials and methods of business and office cooperative education courses, when such applicant has met the requirements set forth in B.1.c.(1)(a)-(e) of this rule (above).

### 2. Secondary provisional license validity.

a. Expiration. The secondary provisional license shall expire two years from the July 1 nearest issuance.

b. Nonrenewable. The secondary provisional license is nonrenewable. Full licensure pursuant to the secondary licensure chart set forth in 5 MCAR § 1.0799 shall be accomplished prior to the expiration date set forth in B.2.a. of this rule (above).

### 3. Applicability.

## PROPOSED RULES

a. Provisional licensure provisions apply to the following areas:

- (1) agriculture education (instructor-coordinator),
- (2) business and office education,
- (3) community service occupations education,
- (4) health occupations education,
- (5) industrial education,
- (6) service occupations, and
- (7) other vocational clusters.

b. Consult the corresponding licensure chart for provisional licensure in agriculture education (instructor), consumer homemaking, family life education, marketing and distributive education, and nutrition specialist.

c. Consult the corresponding licensure chart and 5 MCAR § 1.0792 B. of these rules for provisional licensure in special needs areas.

### 5 MCAR § 1.0790 Post-secondary vocational instructional personnel.

A. Qualification for licensure. An applicant shall meet the requirements in the post-secondary licensure chart set forth in 5 MCAR § 1.0799 and the general provisions and procedure for licensure of instructional and supportive personnel.

B. Personnel who shall be licensed.

1. Post-secondary vocational instructor. Any person holding a position as a post-secondary vocational instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

- a. developing, teaching, and evaluating instruction in areas assigned, including programs involving simulation and laboratory activities,
- b. facility and resource management,
- c. forming and utilizing a vocational advisory committee,
- d. relevant school-community relations,
- e. vocational student organizations,
- f. student vocational and occupational guidance and evaluation in the development of skills necessary to meet entry-level qualifications for defined employment,
- g. personal professional and technical development, and
- h. internship supervision, if included in the program.

2. Post-secondary vocational instructor-coordinator

or internship supervisor. Any person holding a position as a post-secondary vocational instructor-coordinator or internship supervisor shall be licensed pursuant to these rules when responsible for any of the following activities:

- a. identifying and selecting appropriate training stations and placing students in those respective stations,
- b. student training plans, student training agreements, completing all state and federal labor law forms required, and complying with those respective state and federal labor law rules and regulations,
- c. supervising students on the job and communicating with the employer relative to the student's performance and objectives of the student's training plan, and
- d. all activities set forth in B.1.a.-h. of this rule (above).

### 5 MCAR § 1.0791 Adult vocational instructional personnel.

A. Qualification for licensure. An applicant (excluding adult supplementary license applicants) shall meet the requirements in the full-time adult licensure chart set forth in 5 MCAR § 1.0799 and the general provisions and procedure for licensure of instructional and supportive personnel. A full-time adult instructor not identified in the full-time adult licensure chart shall meet corresponding full-time post-secondary requirements. Post-secondary licensure shall automatically include adult licensure in the same area.

B. Personnel who shall be licensed. Any person holding a position as an adult vocational instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

1. developing, teaching, and evaluating instruction in areas assigned, including programs involving simulation and laboratory activities,
2. facility and resource management,
3. providing input into and utilizing a vocational advisory committee,
4. relevant school-community relations,
5. student vocational and occupational guidance and evaluation in the development of skills meeting vocational objectives required for proficiency in the identified area of employment, and
6. personal professional and technical development.

C. Adult supplementary license.

1. Authorizing signature. Applications for the initial entrance and subsequently renewed adult supplementary license shall be signed by the authorized local vocational

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## PROPOSED RULES

administrator, subject to review by the Commissioner of Education.

### 2. Issuance.

#### a. Initial entrance adult supplementary license.

The Commissioner of Education shall issue an initial entrance adult supplementary license to an applicant:

(1) recommended for adult supplementary licensure by the authorized local vocational administrator, and

(2) professionally and technically qualified in the specific occupational area to be taught, as verified by the authorized local vocational administrator. A minimum of three years of recent, relevant occupational experience and twenty-four clock hours of vocational teacher education is recommended.

b. Renewed adult supplementary license. The Commissioner of Education shall issue a renewed adult supplementary license to an applicant:

(1) recommended for renewed adult supplementary license by the authorized local vocational administrator, and

(2) professionally and technically qualified through completion of upgrading activities recommended by the authorized local vocational official to maintain currency in the specific occupational area taught.

### 3. Adult supplementary license validity.

a. Annual hour limitation. Adult supplementary instructors shall not teach on an adult supplementary license in excess of 500 hours annually.

b. Initial entrance adult supplementary license. The initial entrance adult supplementary license shall remain valid for a two-year period.

c. Renewed adult supplementary license. The renewed adult supplementary license shall remain valid for a three-year period.

## 5 MCAR § 1.0792 Special needs vocational instructional and supportive personnel.

A. Qualification for licensure. An applicant shall meet the requirements in the special needs licensure chart set forth in 5 MCAR § 1.0799 and the general provisions and procedure for licensure of instructional and supportive personnel.

### B. Personnel who shall be licensed.

1. Support service manager. Any person holding a position as a support service manager shall be licensed pursuant to these rules when responsible for any of the following activities:

a. operating under the direct supervision of the authorized local vocational administrator or special needs supervisor.

b. identifying students with special vocational needs,

c. serving as an advocate for the student with special vocational needs in the following manner by:

(1) ascertaining the student's vocational special needs;

(2) facilitating the entrance of students with special vocational needs into appropriate vocational programs;

(3) monitoring such student's progress; and

(4) mobilizing the necessary supportive services required by such students.

d. providing the necessary supportive service to students with special vocational needs in areas deemed appropriate,

e. working with the regular vocational instructor in modifying the curriculum to meet the needs of the student with a special vocational need, in the absence of a supervisor of special needs,

f. serving as a liaison between the student's support personnel and the student's instructor, and

g. participating on an advisory committee related to the special needs program(s) managed.

2. Vocational evaluator. Any person holding a position as a vocational evaluator shall be licensed pursuant to these rules when responsible for any of the following activities:

a. providing prevocational and vocational assessment to identify each student's vocational training potential and identify vocational training choices or alternatives for the student,

b. identifying the appropriate supportive services that the student may require and which are provided through the AVTI or other agency,

c. assisting the student in understanding his/her interests and capabilities,

d. serving as a liaison between the student and other personnel such as supportive service personnel or instructors,

e. providing follow-up necessary to assure proper placement, and

f. participating on an advisory committee related to the special needs program(s) evaluated.

3. Instructor-coordinator for work experience program. Any person holding a position as an instructor-coordinator for work experience programs shall be licensed pursuant to these rules when responsible for any of the following activities:

a. conducting employability seminars,

b. arranging for student placement in preselected jobs and coordinating such students through site visits,

c. developing a training agreement and plan with the student and the employer agreed to by the parent,

## PROPOSED RULES

d. providing instruction in safety on the job prior to or concurrent with the student's preselected job.

e. providing a minimum of skill instruction prior to or concurrent with the student's preselected job.

f. providing the Department of Education with evidence necessary to assure that the special needs program operation is in compliance with relevant state and federal labor law rules and regulations.

g. coordinating the special needs student's activities in regular courses in which the student is enrolled and serving as an advocate for the student.

h. providing opportunities for students to participate in student organization activities, and

i. participating on an advisory committee related to the special needs program(s) instructed and/or coordinated.

4. Post-secondary remedial related math instructor. Any person holding a position as a post-secondary remedial related math instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. ascertaining student competency in math skills by administering tests designed to indicate the level at which the student is presently functioning. Such tests shall relate to the math skills required to successfully complete the vocational program in which the student is enrolled,

b. designing individualized math programs for students when such student's math competency test results indicate the need. Such programs shall be designed to achieve the math competency level required for the successful completion of the vocational training program in which the student is enrolled,

c. providing individualized remedial instruction in math utilizing the math program developed for each student identified to have a special need for such, and

d. participating on an advisory committee related to the special needs program(s) instructed.

5. Post-secondary remedial related reading instructor. Any person holding a position as a post-secondary remedial related reading instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. ascertaining student competency in reading skills by administering tests designed to indicate the level at which the student is presently functioning,

b. designing individualized reading programs for students when such student's reading competency test results indicate the need. Such programs shall be designed to achieve

the reading competency level required for the successful completion of the vocational training program in which the student is enrolled,

c. providing individualized remedial instruction in math utilizing the math program developed for each student identified to have a special need for such, and

d. participating on an advisory committee related to the special needs program(s) instructed.

5. Post-secondary remedial related reading instructor. Any person holding a position as a post-secondary remedial related reading instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. ascertaining student competency in reading skills by administering tests designed to indicate the level at which the student is presently functioning,

b. designing individualized reading programs for students when such student's reading competency test results indicate the need. Such programs shall be designed to achieve the reading competency level required for the successful completion of the vocational training program in which the student is enrolled,

c. providing individualized remedial instruction in reading, communication, and study skills, utilizing the reading program developed for each student identified to have a special need for such, and

d. participating on an advisory committee related to the special needs program(s) instructed.

6. Bilingual/bicultural remedial related reading instructor. Any person holding a position as a bilingual/bicultural remedial related reading instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. ascertaining the competency in reading and communication skills of limited English-speaking students by administering tests designed to indicate the levels at which the student is presently functioning,

b. designing individualized reading and/or communication programs for students when such student's competency test results indicate the need,

c. providing individualized remedial instruction in reading and/or communication skills utilizing the reading and/or communication program developed for each student identified to have a special need for such, and

d. participating on an advisory committee related to the special needs program(s) instructed.

7. Vocational advisor. Any person holding a position

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## PROPOSED RULES

as a vocational advisor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. recruiting minority students for enrollment into vocational training programs,

b. serving as an advocate for minority students enrolled in a vocational training program through counseling, appropriate support service if necessary, and any other service needed for the students to succeed in their vocational training programs, and

c. participating on an advisory committee related to the special needs program(s) advised.

8. Supplemental support staff-technical tutor. Any person holding a position as a supplemental support staff-technical tutor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. providing direct service to the student, under the supervision of a vocationally licensed person, in one of the following ways:

(1) providing technical tutoring in a specific vocational skills training program;

(2) providing instruction in related math, reading, or communication skills needed for a specific skills training program; and

(3) ascertaining the competency level of students by administering tests so that supportive help may be supplied when the competency test results indicate the need.

b. participating on an advisory committee related to the special needs program(s) in which he/she is a support staff member and/or tutor.

9. Interpreter for the deaf. Any person holding a position as an interpreter for the deaf shall be licensed pursuant to these rules when responsible for any of the following activities:

a. serving as an advocate for the hearing impaired student enrolled in a vocational training program,

b. interpreting verbal communication to the hearing impaired student enrolled in a vocational training program,

c. providing reverse interpreter services to the hearing impaired student, and

d. participating on an advisory committee related to the special needs program(s) in which he/she is an interpreter.

10. Occupational English as a second language instructor. Any person holding a position as an occupational English as a second language instructor shall be licensed pursuant to these rules when responsible for any of the following activities:

a. ascertaining the competency in English of learners whose first language is not English by administering diagnostic and/or placement tests,

b. designing a curriculum which relates English listening, speaking, reading, and writing skills development to the vocational skills development of the learner,

c. providing instruction which enables the learner whose first language is not English to enroll in and succeed in vocational training programs, and

d. participating on an advisory committee related to the special needs program(s) instructed.

### C. Special needs provisional license.

1. Authorizing signature. Applications for the special needs provisional license shall be signed by the authorized local vocational administrator.

2. Issuance. The Commissioner of Education shall issue a special needs provisional license to an applicant:

\* a. eligible for a special needs provisional license pursuant to special needs licensure chart set forth in 5 MCAR § 1.0799, and

b. recommended for special needs provisional licensure by the authorized local vocational administrator, and

c. when no fully qualified, licensed individual is available for an existing position, as verified by the local vocational administrator on the request for provisional license form.

### 3. Special needs provisional license validity.

a. Expiration. The special needs provisional license shall expire a maximum of two years from the July 1 nearest issuance.

b. Nonrenewable. The special needs provisional license shall be nonrenewable. Full licensure shall be accomplished prior to the expiration date set forth in B.3.a. of this rule (above).

### 4. Special needs provisional license course requirements.

a. An applicant (excluding applicants for instructor-coordinator licensure) for licensure may complete the final one-third of the specialized course requirements during the provisional licensure period when the applicant has complied with the authorizing signature, issuance, and license validity provisions set forth in C.1.-3. of this rule (above).

b. An applicant for instructor-coordinator licensure may complete the final one-third of the specialized course requirements that are in addition to the philosophy of vocational education and coordination techniques courses during the provisional licensure period when the applicant has complied with the authorizing signature, issuance, and license validity provisions set forth in C.1.-3. of this rule (above).

### 5 MCAR § 1.0793 Specialized vocational instructional and supportive personnel.

A. Qualification for licensure. An applicant shall meet the requirements set forth in this rule, and the general provisions

## PROPOSED RULES

and procedure for licensure of instructional and supportive personnel except when superseded by the provisions of this rule.

### B. Specialized instructional personnel.

1. Part-time preparatory instructor-resource specialist. A part-time (less than one-fourth time) preparatory instructor-resource specialist may be employed to teach a portion of a program directed by a qualified full-time instructor.

a. Licensure requirement. Any person holding a position as a part-time preparatory instructor-resource specialist shall be licensed pursuant to this rule when responsible for performance of duties assigned by the qualified full-time instructor in charge of the class.

b. Licensure criteria. An applicant:

(1) shall be professionally and technically qualified to practice in the specific occupational area to be taught,

(2) shall have occupational experience equal to that required for a full-time instructor at the student level requested,

(3) shall have completed six clock hours of vocational teaching techniques prior to issuance of an initial two-year entrance license, and

(4) shall submit an application for vocational licensure which includes the recommending signature of the authorized local vocational administrator.

c. Two-year initial entrance license renewal. The applicant shall have completed a minimum of 24 clock hours of vocational teaching techniques for renewal of the initial two-year entrance license. Upon expiration of the two-year entrance license, successive three-year renewals shall be granted upon the recommendation of the authorized local vocational administrator.

d. Relicensure. The applicant shall be required to maintain currency in the occupational field, as verified by the authorized local vocational administrator, in order to qualify for relicensure.

2. Consultants. Consultants (specialists, guest speakers, resource personnel, etc.) who are recognized authorities in the topics under consideration may be used for special assignments.

a. Licensure requirement. Any person holding a position as a consultant shall be licensed pursuant to this rule when responsible for conducting a portion of the sessions of a class that is directed by a qualified full-time instructor.

b. Licensure criteria.

(1) Secondary and post-secondary programs. A consultant shall be licensed as an instructor pursuant to these rules when:

(a) the consultant will provide services exceeding 30 clock hours per learning unit, or

(b) the consultant will provide services exceeding 60 clock hours per year.

(2) Adult programs. A consultant shall be licensed as an instructor pursuant to these rules to be eligible for aid payments pursuant to 5 MCAR § 1.0115 F.

3. Post-secondary related subjects instructor.

a. Licensure requirement. Any person holding a position as a post-secondary related subjects instructor shall be licensed pursuant to this rule when responsible for instructing students in foundational areas or occupational personal development areas in cooperation with instructional personnel in major occupational areas.

b. Licensure criteria.

(1) Foundational areas. (e.g., mathematics, science, communications) An applicant:

(a) shall be a graduate of an accredited college with a four-year degree, including a major in the area of licensure to be taught, or the equivalent, as verified by a teacher education institution that grants such degrees,

(b) shall have completed 4,000 hours of occupational experience in an area other than education, and

(c) shall meet the requirements of the post-secondary vocational teacher education sequence set forth in 5 MCAR § 1.0784.

(2) Occupational personal development. (e.g., job seeking, interviewing, personal dynamics)

(a) Option one—An applicant:

(i) shall be a graduate of an accredited college with a four-year degree, including a major in the area of licensure to be taught (e.g., industrial relations, personnel management, employment counseling, business administration), or the equivalent, as verified by an institution that grants such degrees,

(ii) shall have completed 4,000 hours of occupational experience in an area other than education, and

(iii) shall meet the requirements of the post-secondary vocational teacher education sequence set forth in 5 MCAR § 1.0784.

(b) Option two—An applicant:

(i) shall have completed 8,000 hours of occupational experience in an area related to occupational personal development other than education, and

(ii) shall meet the requirements of the post-secondary vocational teacher education sequence set forth in 5 MCAR § 1.0784.

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## PROPOSED RULES

### 4. Support services—childhood education personnel.

#### a. Childhood education instructor.

(1) Licensure requirement. Any person holding a position as a childhood education instructor shall be licensed pursuant to this rule when responsible for any of the following activities:

(a) establishing and directing a learning and/or care center for children (infants through age 12) in an AVTI or an adult vocational program, or

(b) assisting a secondary vocational teacher of child care-guidance and education in the instructional program.

#### (2) Licensure criteria.

##### (a) Option one—An applicant:

(i) shall hold a post-secondary certificate from a child development assistant training program (minimum of 1,080 hours), and

(ii) shall have completed 1,560 hours of occupational experience as a child care assistant.

(b) Option two—An applicant shall be a graduate of an approved college with a four-year degree, including a major related to the area of licensure appropriate for the age level to be taught.

(c) Option three—An applicant shall comply with the competency requirements for child development associate certification.

(3) Human relations requirement. All licensed childhood education personnel shall comply with the human relations requirement set forth in 5 MCAR § 1.0785.

(4) Waiver. The philosophy of vocational education requirement shall be waived.

#### b. Childhood education aide.

(1) Licensure requirement. Any person holding a position as a childhood education aide shall be licensed pursuant to this rule when responsible for any of the following activities:

(a) assisting a preschool instructor or a vocational child care instructor in an AVTI or an adult vocational program, or

(b) assisting a vocational child care instructor responsible for both a secondary vocational child care-guidance and education program.

#### (2) Licensure criteria.

(a) Option one—An applicant shall have completed a high school vocational training program in child care-guidance and education.

(b) Option two—An applicant shall have completed 1,200 hours of occupational experience in a related field.

(3) Human relations requirement. All licensed childhood education personnel shall comply with the human relations requirement set forth in 5 MCAR § 1.0785.

(4) Waiver. The philosophy of vocational education requirement shall be waived.

#### C. Supportive personnel.

##### 1. AVTI administrative assistant.

a. Licensure requirement. Any person holding a position as an AVTI administrative assistant need not hold a license. However, should a person choose to be licensed, such person shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) assisting and being responsible to the director in preparing new instructional program forms for preparation and review of a new program,

(2) coordinating with the local district administration and the state Department of Education, Division of Vocational-technical Education, in developing building plans, equipment, and budgeting,

(3) assisting the director working with the local board of education,

(4) maintaining regular communication between the business manager of either the AVTI or the district and the director,

(5) procedures related to inservice teacher education,

(6) working with the assistant director or other designated local vocational administrators in the development of on-site and self-evaluation,

(7) coordinating the activities of the clerical staff and recommending to the director employment of additional staff or adjustments in staff as deemed appropriate,

(8) preparing a public relations program in consort with the administration of the AVTI, and

(9) providing leadership, assisting in the delivery of information to visitors of the institute, and serving as host or hostess as required.

##### b. Licensure criteria. An applicant:

(1) shall have completed 6,000 hours of occupational experience in one or more of the following areas:

(a) business;

(b) accounting;

(c) office management;

(d) public relations.

(2) shall have completed five years of administrative experience in an AVTI. This AVTI administrative experience may be used to meet the requirement for 500 hours of occupational experience within the prior five years,

(3) shall be familiar with the organization and

## PROPOSED RULES

operation of a local school district, as verified by the authorized local vocational administrator, and

(4) shall have completed a course in philosophy of vocational education.

2. AVTI area program coordinator of agricultural education.

a. Licensure requirement. Any person holding a position as an AVTI area program coordinator of agricultural education shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) working in an assigned geographic area,

(2) being responsible to the director in the district in which employed with coordination from the adult supervisor of agriculture education as spokesperson for the state supervisory staff of agriculture education,

(3) coordinating adult agriculture education activities. Emphasis shall be on adult farm management education programs and veterans farm cooperative programs, including maintenance and development,

(4) coordinating secondary and post-secondary agriculture education activities. Emphasis shall be on articulating secondary and post-secondary offerings in agriculture, and

(5) making all reports required by the director and the state supervisor of adult agriculture education as spokesperson for the state supervisory staff of agriculture education.

b. Licensure criteria. An applicant:

(1) shall meet the licensure requirements for an adult teacher of vocational agricultural education, as specified in the licensure chart set forth in 5 MCAR § 1.0799, and

(2) shall have completed three years of experience as a teacher of vocational agriculture.

3. Post-secondary instructional resources specialist.

a. Licensure requirement. Any person holding a position as a post-secondary instructional resources specialist need not hold a license. However, should a person choose to be licensed, such person shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) organizing, supervising, and maintaining the resource center within the AVTI,

(2) establishing scheduling procedures for resource materials and equipment,

(3) determining the resource materials and equipment needed for the AVTI and preparing a resource budget with the help of the director or assistant director,

(4) maintaining an inventory of all instructional resource items with the AVTI,

(5) keeping records and making reports on the use of materials and equipment and recommending needs to the director or assistant director,

(6) supervising the general operation of the instructional resources program within the AVTI,

(7) conducting inservice training for personnel on the use of materials and equipment and assisting in curriculum planning,

(8) producing and supervising production of teaching and public relations materials that can be made within the school (e.g., tapes, transparencies, slides, 8-millimeter sound films, graphic arts materials, models, mockups, and any other materials specified as necessary by instructors), and

(9) supervising the maintenance of resource materials and equipment within the AVTI.

b. Licensure criteria.

(1) Option one—An applicant:

(a) shall be a graduate of an accredited college with a four-year degree, including a major in library science, in instructional media, or in audio-visual,

(b) shall have completed a course in philosophy of vocational education,

(c) shall have completed 4,000 hours of occupational experience outside of education.

(2) Option two—An applicant:

(a) shall have completed a graduate program for state licensure in library science, in instructional media, or in audio-visual,

(b) shall have completed a course in philosophy of vocational education, and

(c) shall have completed 4,000 hours of occupational experience outside of education.

c. Substitution. Librarian experience related to vocational-technical areas to be served may be substituted for the occupational experience outside of education.

4. Vocational program counselor.

a. Licensure requirement. Any person holding a position as a vocational program counselor shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) providing individual and group counseling assistance to students and prospective students to help them

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## PROPOSED RULES

with their personal development including self-evaluation, vocational decision-making, and life planning,

(2) providing services which promote vocational development, assisting students to see the relationship between their goals and various courses or training opportunities which they are taking or may be considering,

(3) assisting students during periods of educational or vocational transitions through counseling and orientation procedures and educational placement, and

(4) providing consultative services to help teachers and administrators understand the developmental needs and to determine the potential of individual students or groups of students.

b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college with a master's degree in a program of counselor education or the equivalent, as verified by the institution that grants such degrees,

(2) shall have demonstrated competencies in individual and group counseling, career development, consultation skills, assessment skills, research and evaluation, and human relations, as verified by the preparing institution,

(3) shall have completed a course in philosophy of vocational education, and

(4) shall have completed 4,000 hours of occupational experience outside of education or teaching.

c. Secondary vocational program counselors. In addition to the requirements set forth in C.4.b.(1)-(4) of this rule (above), secondary vocational program counselors shall also meet the current licensure requirements of the Board of Teaching.

5. Student personnel services specialist.

a. Licensure requirement. Any person holding a position as a student personnel services specialist shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) providing services assisting students to successfully move into and out of an AVTI or center, and make progress while so enrolled,

(2) providing services to students and parents relative to the area(s) of occupational and educational information, appraisal, orientation, housing, financial aids, student activities, or student accounting, and

(3) working cooperatively with other staff in duties related to student personnel services.

b. Licensure criteria.

(1) Option one—An applicant shall meet the criteria of a vocational program counselor set forth in C.4.b.(1)-(4) of this rule (above).

(2) Option two—An applicant:

(a) shall be a graduate of an accredited college with a four-year degree, including a major in an area related to personnel services (e.g., industrial relations, employment counseling, personnel management), or the equivalent, as verified by an institution that grants such degrees,

(b) shall have completed 6,000 hours of occupational experience, with at least 2,000 hours in personnel services in a post-secondary educational institution or in industry or agencies, and

(c) shall have completed a course in philosophy of vocational education.

6. Secondary placement specialist.

a. Licensure requirement. Any person holding a position as a secondary placement specialist shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) providing job-placement services to a district or a group of districts. Job-placement services:

(a) include the procedures, practices, and activities that assist identified students in securing employment. Emphasis shall be on securing full-time employment for the student,

(b) involve cooperation among the total community, parents, students, and education agencies, and

(c) require consultation and coordination with school pupil personnel services and community services.

(2) providing job development, employer contact, and job-seeking skills,

(3) establishing adequate files pertaining to employer, student, and follow-up data,

(4) promoting job openings and maintaining strong rapport with employers who hire identified students, and

(5) providing an organized program of job procurement skills to the student population.

b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college with a four-year degree,

(2) shall have completed a course in coordination techniques, and

(3) shall have completed 4,000 hours of occupational experience, with 2,000 hours (at least 500 hours in the prior five years) in one of the following areas:

(a) personnel management (i.e., job development, employer contact, and job placement) while employed by a government agency, by a private agency, in an industrial setting, or in an educational institution; or

(b) job placement services while employed

## PROPOSED RULES

by a government agency, by a private agency, or in an industrial setting.

c. Optional requirements. In addition to meeting the criteria in C.6.b.(1)-(3) of this rule (above), it is recommended that the applicant have completed two years of teaching experience and hold a valid standard or vocational teaching license.

d. First five-year sequence. The applicant shall complete a course in philosophy of vocational education prior to renewal of the two-year entrance license.

### 7. AVTI student financial aids officer.

a. Licensure requirement. Any person holding a position as an AVTI student financial aids officer need not hold a license. However, should a person choose to be licensed, such person shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) developing and administering the student financial aid program at an AVTI,

(2) establishing uniform standards and procedures for the awarding of student financial aids to eligible recipients in accordance with state and federal rules and regulations governing the administration of student financial aid programs,

(3) timely completion of the annual institutional application for federal student aid funds and for all periodic reports to federal and state agencies which grant such funds to students,

(4) coordinating financial assistance to be paid to financial aid recipients from all agencies of the federal, state, and local government, and

(5) serving as a resource person to the student personnel services administrator in providing ancillary services and assistance to needy and disadvantaged students.

### b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college with a four-year or graduate degree,

(2) shall have completed a course in philosophy of vocational education,

(3) shall have completed 2,000 hours of occupational experience outside of education or teaching, and

(4) shall have completed three years of administrative and/or supervisory experience in the management of student financial aids or related programs for the disadvantaged student.

### 8. Curriculum and personnel development specialist.

#### a. Licensure requirement. Any person holding a

position as a curriculum and personnel development specialist need not be licensed. However, should a person choose to be licensed, such person shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) providing institutional orientation for new staff members,

(2) advising staff of initial and continuing vocational licensure and relicensure requirements,

(3) counseling and assisting professional staff in carrying out their educational responsibilities,

(4) identifying needs and goals of the individual, and the institution which influence the tasks to be mastered by an instructor or other vocational personnel, and

(5) identifying the needs for revision and assisting in the development of curriculum which instructors may use when carrying out their educational responsibilities.

#### b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college with a master's degree in education,

(2) shall have completed three years of teaching experience on a vocational license in at least one of the vocational areas related to the educational responsibilities,

(3) shall have completed sufficient occupational experience to be licensed as a vocational teacher at the secondary or post-secondary level, and

(4) shall have completed a course in philosophy of vocational education.

### 9. Health-safety specialist.

a. Licensure requirement. A person holding a position as a health-safety specialist need not be licensed. However, should a person choose to be licensed, such person shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) coordinating ongoing emergency health and first aid care to all students and employees,

(2) being a permanent member of the AVTI safety committee, participating in safety committee meetings and safety inspections,

(3) providing services in emotional and physical health care, maintenance, and rehabilitation to all students and employees, including referral to the appropriate agencies (e.g., special needs, chemical dependency, and the handicapped),

(4) coordinating health screening, immunization, and preventative health awareness programs,

(5) coordinating or assisting with the implementation of ongoing emergency and disaster procedures and

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## PROPOSED RULES

participating in the planning and administration of safety practices.

(6) coordinating ongoing student and employee safety programs (e.g., eye safety, hearing conservation, proper lifting techniques, office safety, OSHA awareness, and first aid instruction for students and employees),

(7) coordinating activities with the appropriate state and local agencies (e.g., OSHA, Department of Labor/Industry, Vocational Rehabilitation, Department of Health),

(8) maintaining current knowledge of safety, health, and social agency activity in the community, and

(9) coordinating student health insurance programs and confidential health records.

### b. Licensure criteria.

#### (1) Option one—An applicant:

(a) shall be a registered nurse, licensed pursuant to Minn. Stat. § 148.211 to practice in Minnesota,

(b) shall have completed 6,000 hours of nursing experience, with at least 500 hours of nursing experience within the last five years in one of the following areas:

- (i) industry;
- (ii) emergency—ICU—CCU-nursing;
- (iii) school nursing, or
- (iv) public health agency.

(c) shall have certification in cardio-pulmonary resuscitation, as granted by the American Heart Association or American Red Cross, and

(d) shall have certification in either standard first aid or multi-media first aid, as granted by the American Heart Association or American Red Cross.

#### (2) Option two—An applicant:

(a) shall be a graduate of an accredited college with a four-year degree,

(b) shall be a registered nurse, licensed pursuant to Minn. Stat. § 148.211 to practice in Minnesota,

(c) shall have completed 4,000 hours of nursing experience with at least 500 hours of nursing experience within the last five years in one of the following areas:

- (i) industry;
- (ii) emergency—ICU—CCU-nursing;
- (iii) school nursing; or
- (iv) public health agency.

(d) shall have certification in cardio-pulmonary resuscitation, as granted by the American Heart Association or American Red Cross, and

(e) shall have certification in either standard first aid or multi-media first aid, as granted by the American Heart Association or American Red Cross.

(3) Option three — An applicant shall be certified as an occupational health nurse by the National Board of Occupational Health Nurses.

### c. Five-year licensure requirements.

(1) Initial two-year entrance license renewal. The applicant shall complete the following requirements prior to renewal of the initial two-year entrance license. The applicant:

(a) shall complete courses in human relations and philosophy of vocational education,

(b) shall hold cardio-pulmonary resuscitation certification, as granted by the American Heart Association and American Red Cross,

(c) shall hold standard first aid or multi-media first aid certification as granted by the American Heart Association and American Red Cross. Advanced first aid or emergency medical training may be substituted, and

(d) shall complete 12 clock hours of instruction or experience in safety with the Minnesota Safety Council or an equivalent agency preapproved by the Minnesota Safety Council.

(2) Subsequent one-year renewal. A subsequent one-year renewal shall be available to allow the applicant to complete an additional three credits in one of the following areas:

(a) chemical dependency;

(b) special needs; or

(c) courses pertinent to the health services in the specific vocational institute, as approved by the authorized local vocational administrator.

(3) Five-year licensure. The applicant shall complete all criteria set forth in C.9.c.(1) and (2) of this rule (above), prior to approval of five-year licensure.

### 10. Health-safety assistant.

a. Licensure requirement. Any person holding a position as a health-safety assistant need not be licensed. However, should a person choose to be licensed, such person shall be licensed pursuant to this rule when responsible for any of the duties prescribed by the health-safety specialist.

#### b. Licensure criteria.

##### (1) Option one — An applicant:

(a) shall be a practical nurse, licensed pursuant to Minn. Stat. § 148.291 to practice in Minnesota,

(b) shall have completed 4,000 hours of nursing experience, with at least 500 hours of nursing experience within the last five years in one of the following areas:

(i) industrial safety;

(ii) emergency — ICU — CCU — nursing;

## PROPOSED RULES

- (iii) school nursing; or
- (iv) public health agency.

(c) shall have certification in cardiopulmonary resuscitation, as granted by the American Heart Association or American Red Cross, and

(d) shall have certification in either standard first aid or multi-media first aid, as granted by the American Heart Association or American Red Cross.

(2) Option two — An applicant:

(a) shall be a graduate of an accredited college with a degree (associate or baccalaureate level) in industrial-safety.

(b) shall have completed 2000 hours of occupational experience in an industrial safety environment. Experience as a safety inspector or plant safety inspector shall satisfy the experience requirement.

(c) shall have certification in cardiopulmonary resuscitation, as granted by the American Heart Association or American Red Cross, and

(d) shall have certification in either standard first aid or multi-media first aid, as granted by the American Heart Association or American Red Cross.

(3) Option three — An applicant may meet any one of the options of a health safety specialist set forth in C.9.b.(1)-(3) of this rule (above).

c. Five-year licensure requirements. The applicant shall meet all requirements set forth in C.9.c.(1)-(3) of this rule (above).

### 5 MCAR § 1.0794 Procedure for licensure of vocational administrative and supervisory personnel.

A. Qualification for licensure. An applicant shall meet the educational component and the occupational experience requirements stated in these rules for each area of licensure sought.

B. Licensure procedure. Licensure shall be pursuant to the general provisions and procedure for licensure of instructional personnel, except when superseded by the provisions of this rule.

1. Initial entrance vocational license.

a. Authorizing signature. Initial entrance licensure applications may be processed without an authorizing signature.

b. Issuance. An applicant who meets the requirements of one of the initial entrance license options set forth in B.1.c. of this rule (below), shall be issued an initial two-year entrance vocational license.

c. Initial entrance license options:

(1) Option one — An applicant who meets the educational component and the occupational experience licensure requirements for the specific administrative or supervisory personnel position sought, as set forth in these rules, shall be issued an entrance license.

(2) Option two — An applicant who does not meet the educational component and/or the occupational experience licensure requirements for the specific administrative or supervisory personnel position sought may petition the Commissioner of Education in writing for a qualifications reevaluation through committee review as set forth in 5 MCAR § 1.0788.

2. Initial regular five-year vocational license.

a. Authorizing signature. Applications for the initial regular five-year vocational license shall be signed by the local supervising vocational administrator. Secondary and post-secondary directors shall obtain the signature of the supervising superintendent.

b. Issuance. An applicant who meets the requirements of one of the initial regular five-year vocational license options set forth in B.2.c. of these rules (below), shall be issued an initial regular five-year vocational license.

c. Initial regular five-year vocational license options:

(1) Option one — An entrance license holder who meets the educational component and the occupational experience requirements for the specific administrative or supervisory personnel position sought and who subsequently completes relevant upgrading activities shall be issued a regular five-year vocational license upon the expiration of such initial entrance license. The number of hours and the content of relevant upgrading activities shall be determined by the local vocational administrator, subject to review by the Commissioner of Education.

(2) Option two — An entrance license holder who meets the educational component and/or the occupational experience requirements for the specific administrative or supervisory personnel position sought through committee review, as set forth in 5 MCAR § 1.0788, and who subsequently completes relevant upgrading activities shall be issued a regular five-year vocational license upon the expiration of such initial entrance license. The number of hours and the content of relevant upgrading activities shall be determined by the local vocational administrator, subject to review by the Commissioner of Education.

3. Renewed regular five-year vocational license. A regular five-year vocational license holder who completes the continuing education requirements for relicensure set forth in

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## PROPOSED RULES

5 MCAR § 1.0795 shall be issued a renewed regular five-year vocational license.

### **5 MCAR § 1.0795 Continuing education requirements for relicensure of vocational administrative and supervisory personnel.**

#### A. Renewed five-year vocational license.

1. Issuance. Vocational administrative and supervisory staff holding a valid regular five-year vocational license shall be issued a renewed regular five-year vocational license when the following requirements have been met during the five-year period immediately preceding the date on which the requested renewal is to be made effective.

a. An applicant has completed 115 clock hours of approved administrative or supervisory vocational continuing education activity and evidence of completion is provided to the Commissioner of Education.

b. An applicant has completed 85 additional hours of individual professional development activity related to vocational school administration or supervision and a record of completion is provided to the central office of the employing school district or agency.

c. In the first six years following the effective date of this chapter, clock hours of approved vocational administrative or supervisory continuing education and clock hours of individual professional development activity shall be required as follows:

(1) To renew licenses expiring June 30, 1980, an applicant shall complete 108 clock hours of upgrading activities related to administration. The clock hours shall be preapproved and verified by the local supervising vocational administrator.

(2) To renew licenses expiring June 30, 1981, an applicant shall complete 108 total clock hours of relevant upgrading activities with 10 clock hours of approved vocational administrative or supervisory continuing education and 98 clock hours of individual professional development activity.

(3) To renew licenses expiring June 30, 1982, an applicant shall complete 125 total clock hours of relevant upgrading activities with 35 clock hours of approved administrative or supervisory continuing education and 90 clock hours of individual professional development activity.

(4) To renew licenses expiring June 30, 1983, an applicant shall complete 150 total clock hours of relevant upgrading activities with 60 clock hours of approved administrative or supervisory continuing education and 90 clock hours of individual professional development activity.

(5) To renew licenses expiring June 30, 1984, an applicant shall complete 175 total clock hours of relevant upgrading activities with 85 clock hours of approved administrative or supervisory continuing education and 90 clock hours of individual professional development activity.

(6) To renew licenses expiring June 30, 1985, and thereafter, an applicant shall complete 200 total clock hours of relevant upgrading activities with 115 clock hours of approved administrative or supervisory continuing education and 85 hours of individual professional development activity.

2. Applications for renewal. Applications for renewal shall be accepted by the department of education after January 1 of the year of expiration; provided, however, that the renewal period shall commence on the expiration date (July 1).

a. Excess hours. An applicant for renewal who earns approved clock hours in excess of the number required for renewal in this rule may not apply any excess hours to future renewals.

b. Renewal cycles. Clock hours used to meet renewal requirements for one five-year renewal cycle may not be applied toward future five-year renewal cycles.

#### B. Reactivation of lapsed regular five-year vocational license.

1. Regular five-year continuing license. A five-year continuing license may be granted if an applicant can provide evidence that 115 clock hours of approved administrative or supervisory continuing education activity and 85 hours of individual professional development activity have been completed during the five-year period immediately preceding the application for a five-year continuing license.

2. Two-year nonrenewable continuing license. A two-year nonrenewable continuing license may be granted if an applicant can provide evidence that a position has been offered contingent upon holding a valid license, and can demonstrate that there is insufficient time to complete 115 clock hours of approved administrative or supervisory continuing education activity and 85 hours of individual professional development activity as set forth in A.1.a. and b. of this rule (above). Upon expiration of the two-year, nonrenewable continuing license, an applicant shall qualify for a regular five-year continuing license in accordance with requirements set forth in B.1. of this rule.

### **5 MCAR § 1.0796 Continuing education programs for relicensure of vocational administrative and supervisory personnel.**

A. Approval by Commissioner of Education. The initiator of any vocational administrative or supervisory continuing education program for relicensure of directors and supervisors shall obtain approval from the Commissioner of Education for the program and the clock hours to be earned in such program.

1. Preapproval. The initiator of the vocational administrative or supervisory continuing education program shall secure approval of the program before participants may be registered.

2. Term of approval. Vocational administrative or supervisory continuing education programs may be approved

## PROPOSED RULES

for a period up to, but not exceeding, two years.

### B. Approval procedure.

1. Vocational administrative or supervisory continuing education program proposals. The initiator of any vocational administrative or supervisory continuing education program shall forward a proposal of the program to the Commissioner of Education for approval.

#### a. Program proposal requirements.

(1) Clock hours. Each vocational administrative or supervisory continuing education program shall consist of at least three clock hours.

(2) Contents. Each vocational administrative or supervisory continuing education program proposal shall contain the following information:

(a) a description of planning activities including a list of names, addresses, and positions of those involved in planning,

(b) a description of the client group, or groups, for whom the program is designed,

(c) a statement of program goals which relates goals to client needs,

(d) a statement concerning any prerequisite education or experience required for admission to the program,

(e) a description of the proposed vocational administrative or supervisory continuing education program which includes:

(i) a statement of expected learning outcomes;

(ii) a description of program components designed to develop specified learning outcomes; and

(iii) the means by which achievement of specified learning outcomes will be determined for each program participant.

(f) statements indicating the number of clock hours requested for the proposed program, length of time for which approval is being requested, and the number of times that the program is proposed to be offered during the approval period, and

(g) evidence that qualified staff have been assigned to the program and that other resources necessary to the program have been allocated.

b. Program approval. A vocational administrative or supervisory continuing education program shall be approved by the Commissioner of Education upon the recommendation of the administrative standards and licensure task

force established in 5 MCAR § 1.0797 if it meets the requirements set forth in B.1.a.(2)(a)-(g) of this rule (above).

C. Vocational administrative or supervisory continuing education program initiator.

1. Responsibilities. The program initiator shall be responsible for the following duties:

a. developing proposals for vocational administrative or supervisory continuing education programs in areas of study which have been identified, in cooperation with licensed vocational administrators and supervisors practicing in Minnesota school districts,

b. forwarding vocational administrative or supervisory continuing education program proposals to the Commissioner of Education for approval,

c. conducting the vocational administrative or supervisory continuing education program,

d. maintaining communication with the Commissioner of Education concerning the status of all approved vocational administrative or supervisory continuing education programs offered, and

e. providing each participant with an attendance certificate indicating the number of clock hours earned.

2. Resources. The initiator of a vocational administrative or supervisory continuing education program may use resources from professional associations, governmental agencies, and the private business sector in conducting the program.

D. Requirements for admission to approved vocational administrative or supervisory continuing education programs. Admission to all approved vocational administrative or supervisory continuing education programs shall be open to any licensed Minnesota vocational administrator or supervisor who meets the educational and experience requirements for admission as provided for in the particular continuing education program.

E. Dissemination. The Department of Education shall disseminate lists of known approved vocational administrative and supervisory continuing education programs twice annually.

### **5 MCAR § 1.0797 Standards and licensure task force for relicensure of vocational administrative and supervisory personnel.**

A. A vocational administrative standards and licensure task force shall be established by the board of education.

1. Advisory capacity. The task force shall act in an advisory capacity to the Board of Education in matters assigned to it pursuant to A.2. of this rule (below).

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### 2. Duties. The task force shall:

a. review proposed rules pertaining to the licensure of vocational school administrators and supervisors and provide written recommendations concerning such proposals to the state Board of Education,

b. work with licensed vocational administrators and supervisors practicing in Minnesota schools to identify needed areas of study for vocational administrative or supervisory continuing education programs,

c. study and make recommendations for affirmative action in the preparation and employment of vocational school administrators and supervisors, and

d. review and recommend approval of vocational continuing education programs for vocational administrators and supervisors to the Commissioner of Education.

3. Subcommittees. The task force may divide into subcommittees to meet the responsibility set forth in A.2.d. of this rule (above).

#### B. Task force formation.

##### 1. Appointment.

a. Voting members. Task force voting members shall be appointed by the Board of Education.

b. Nonvoting member. The task force nonvoting member shall be appointed by the Commissioner of Education.

2. Members. The task force shall consist of twelve voting members and one nonvoting member as follows:

a. one post-secondary director of vocational-technical education in districts operating an AVTI,

b. one secondary local vocational program director,

c. one adult vocational director,

d. one vocational special needs supervisor,

e. one vocational program area or vocational personnel services area supervisor,

f. one practicing vocational classroom instructor,

g. one vocational teacher educator,

h. one superintendent of schools,

i. one member of a Minnesota school board,

j. one representative of business or industry,

k. one vocational student,

l. one member of the public, and

m. one nonvoting member from the state Department of Education.

3. Selection criteria. Task force members shall be selected on the basis of the following criteria:

a. Each task force member shall be selected on the basis of experience related to, knowledge of, and interest in, the preparation and licensure qualifications of vocational school administrators and supervisors.

b. All task force members who are teachers, directors, supervisors, or superintendents shall also:

(1) be currently practicing in Minnesota in the licensure area that they represent, and

(2) hold a current Minnesota license valid for their present position.

##### 4. Term of appointment.

a. Voting members. Task force voting members shall be appointed for terms of two years.

(1) Exception. The six voting members initially appointed to the task force and identified in B.2.b., d., f., h., j., and l., shall serve one-year terms in order to provide continuity in task force membership.

(2) Repeated membership. Task force voting members may not serve for more than two terms. A term shall include the one-year terms provided for in B.4.a.(1) of this rule (above).

(3) Beginning of term. Membership terms begin with the first task force meeting after September 1 of every year.

(4) Successors. Members shall serve until successors are appointed by the Board of Education pursuant to this rule.

(5) Replacement. Replacement of a member shall be made by the state Board of Education after three unexcused absences in one year.

(6) Change in employment status. The position of a member who leaves Minnesota or whose employment status changes to a licensure area different from that for which appointment was made shall be deemed vacant.

(7) Vacancies. A vacancy during the term of a member shall be filled by the state Board of Education for the remainder of the unexpired term.

b. Nonvoting member. The task force nonvoting member shall serve on the task force until a successor is appointed by the Commissioner of Education.

5. Task force meetings. The task force shall meet at least three times during each school year.

a. First meeting. The first meeting of each school year shall be called by the Commissioner of Education.

(1) Date. The first meeting shall be held before October 31 of each school year.

(2) Officer election. At the first meeting of each school year the task force shall elect a chairperson, a secretary, and any other officers deemed necessary by task force members.

(a) Voting members. Task force officers shall be elected by the voting members of the task force.

(b) Term of office. Officers shall each serve a one-year term.

b. Subsequent meetings. The task force shall perform those duties set forth in A.2.a.-d. of this rule (above), as needed.

## PROPOSED RULES

### 5 MCAR § 1.0798 Vocational administrative and supervisory personnel.

A. Qualification for licensure. An applicant shall meet the requirements set forth in this rule and the general provisions and procedure for licensure of instructional and supportive personnel, except when superseded by the provisions of this rule.

B. Personnel who shall be licensed. A person holding a position as a vocational director or vocational supervisor shall be licensed pursuant to C.1.-5. of this rule (below) when the director or supervisor:

1. devotes more than 50 percent of assigned time to administrative or supervisory duties which require the use of independent judgement,

2. has the responsibility of directing other employees or adjusting their grievances on behalf of the employer, and

3. if so assigned by the vocational administrator, has the authority to recommend the hiring, transfer, suspension, promotion, discharge, assignment, reward, or discipline of other employees on behalf of the employer.

C. Licenses required. Vocational directors and vocational supervisors falling within the provisions of B.1.-3. of this rule (above) shall be licensed as follows:

1. Directors of vocational-technical education in districts operating an AVTI shall hold Minnesota vocational licenses as directors of vocational-technical education in districts operating an AVTI.

2. Assistant directors of vocational-technical education in districts operating an AVTI shall hold Minnesota vocational licenses as assistant directors of vocational-technical education in districts operating an AVTI or as directors of vocational-technical education in districts operating an AVTI.

2. Secondary local vocational program directors shall hold Minnesota vocational licenses as local vocational program directors.

4. Adult vocational education directors shall hold Minnesota vocational licenses as directors of adult vocational education.

5. Supervisors and nonteaching coordinators or managers shall hold Minnesota vocational licenses as supervisors of the program area or personnel services area to which assigned.

D. Administrative personnel.

1. Director of vocational-technical education in districts operating an AVTI. A district designated and approved by the state Board of Education to operate an AVTI shall employ a director.

a. Licensure requirement. Any person holding a position as a director of vocational-technical education in districts operating an AVTI shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) post-secondary and adult vocational education,

(2) recruiting teachers, coordinators, and supervisors and recommending to the superintendent the appointment of all personnel under such director's supervision,

(3) vocational-technical programming at all levels in the district,

(4) preparing plans for new programs, expansion, buildings, facilities, equipment, and budget,

(5) providing for the effective articulation of all levels of programming within the district and as feasible in the service area,

(6) preparing brochures for general distribution, visiting surrounding high schools, and conferring with school superintendents, principals, counselors, and prospective students,

(7) providing preservice and inservice teacher training, assisting teachers in preparing a course of study and planned lessons, and providing instructional supervision of students in the building,

(8) requisitioning and recommending the purchase of equipment, supplies, instructional materials, and other needed items for the effective operation of the vocational program,

(9) preparing vocational reports (financial, statistical, and descriptive) required by the local board of education, the superintendent, the state director, and the state Board of Education,

(10) promoting good public relations through publications, speeches, news media, and the use of advisory committees, and

(11) periodically reviewing the effectiveness of the program by analyzing job placement, follow-up of students on the job, and consultation with industries that are employing the students.

b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college, with a degree (baccalaureate or graduate level), including a major in one of the vocational services (agriculture, business and office, health, home economics and service, marketing and distribution, technical, trade and industrial) or the equivalent, or in vocational guidance and counseling. This degree shall include or shall have added to it:

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## PROPOSED RULES

(a) a course in philosophy of vocational education; and

(b) nine quarter credits in courses such as:

- (i) administration,
- (ii) conference leading,
- (iii) coordination,
- (iv) management,
- (v) supervision.

(2) shall have completed one year of supervisory or administrative experience in business, industry, or education,

(3) shall have completed 6,000 hours of occupational experience outside of education or teaching,

(4) shall have completed five years of experience in one or more of the following capacities:

- (a) vocational teaching;
- (b) vocational supervision;
- (c) vocational administration;
- (d) licensed vocational counseling in a Minnesota post-secondary AVTI;
- (e) licensed vocational related subjects instruction in a Minnesota post-secondary AVTI.

c. The director may also serve as a secondary vocational director if no vocational administrator is employed by the district, either alone or with a cooperative center, for secondary vocational education. This responsibility may be reassigned to insure that there will be a vocational administrator responsible for secondary vocational education.

2. Assistant director of vocational-technical education in districts operating an AVTI.

a. Licensure requirement. Any person holding a position as an assistant director of vocational-technical education in districts operating an AVTI shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) assisting the director in the performance of those responsibilities set forth in D.1.a.(1)-(12) of this rule (above),

(2) vocational-technical programming at assigned levels in the district,

(3) performing additional duties assigned by local school district, and

(4) providing general leadership for the service area of the AVTI and coordinating such leadership with surrounding districts in keeping with the overall state plan for developing vocational-technical education in the state.

b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college,

with a degree (baccalaureate or graduate level), including a major in one of the vocational services (agriculture, business and office, health, home economics and service, marketing and distribution, technical, trade and industrial) or the equivalent, or in vocational guidance and counseling. This degree shall include or shall have added to it:

(a) a course in philosophy of vocational education; and

(b) nine quarter credits in courses such as:

- (i) administration,
- (ii) conference leading,
- (iii) coordination,
- (iv) management,
- (v) supervision.

(2) shall have 6,000 hours of occupational experience outside of education or teaching,

(3) shall have two years of experience in one or more of the following capacities:

- (a) vocational teaching;
- (b) vocational supervision;
- (c) vocational administration;
- (d) licensed vocational counseling in a Minnesota post-secondary AVTI;
- (e) licensed vocational related subjects instruction in a Minnesota post-secondary AVTI.

3. Secondary local vocational program director. A local vocational director may be employed by a school district or a combination of school districts to administer and supervise vocational programs and courses in grades kindergarten through 12 and adult vocational education.

a. Licensure requirement. Any person holding a position of a secondary local vocational program director shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) serving in one of three possible administrative structures as follows:

(a) an established or developing state Board of Education approved center;

(b) an intermediate district as an administrative coordinator for secondary programs;

(c) a single school district or a combination of school districts.

(2) providing leadership for local planning in vocational education (e.g., public and community relations, program planning and development, budgeting, procurement, staffing, evaluation, accountability, teacher education, communications, career education, guidance, placement and follow-up, and

(3) all vocational programs and personnel reim-

## PROPOSED RULES

bursed from federal and state vocational funds except for post-secondary and adult vocational programs assigned to other licensed vocational administrators.

b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college, with a degree (baccalaureate or graduate level), including a major in one of the vocational services (agriculture, business and office, health, home economics and service, marketing and distribution, technical, trade and industrial) or the equivalent,

(2) shall have completed a course in philosophy of vocational education,

(3) shall qualify for a vocational license in one of the vocational administrative or service areas pursuant to these rules, and

(4) shall have completed 6,000 hours of occupational experience in a variety of occupations outside of education or teaching.

c. Initial license.

(1) Requirements. An applicant who has met the requirements of D.3.b.(1)-(4) of this rule (above) shall be granted an initial license after demonstrating proficiency in four competency areas, including Minnesota educational system.

(a) Competency areas:

- (i) school finance,
- (ii) public relations,
- (iii) communications,
- (iv) school law,
- (v) leadership and personnel management,
- (vi) program planning and development,
- (vii) Minnesota educational system.

(b) Demonstration of proficiency.

(i) Minnesota educational system. The applicant shall demonstrate proficiency in competency seven, Minnesota educational system, by submitting verification of three years of experience in vocational education in Minnesota in one or more of the following vocational education capacities:

- (aa) vocational teaching,
- (bb) vocational supervision,
- (cc) vocational administration.

Two of those three years shall have been spent in teaching, licensed as a vocational instructor or as a vocational post-secondary related subjects instructor.

(ii) Other competency areas. The applicant shall demonstrate proficiency in each of the other competency areas by satisfying one of the following criteria:

(aa) successful practical experience in the appropriate competency area within a public or private educational system, as verified by the employer,

(bb) successful practical experience in the appropriate competency area within a noneducational setting, as verified by the employer,

(cc) successful completion of a workshop in the appropriate competency area, as approved by the division of vocational-technical education, or

(dd) successful completion of a college course or courses in the appropriate competency area.

(2) Applicants with experience in other states. An applicant whose educational experience is not in a Minnesota educational system shall also complete a workshop or course approved by the Commissioner of Education and designed to orient the applicant in the Minnesota educational system prior to initial licensure.

(a) Determination of workshop or course content. The content of the required workshop or course shall be determined based upon the following factors:

- (i) the applicant's familiarity with educational administration in Minnesota, and
- (ii) the applicant's background relative to previous work experience and training.

(b) Workshop or course content. The state manager of secondary vocational education shall structure and direct a workshop designed to meet the individual needs of the applicant and addressing the following areas:

- (i) vocational funding,
- (ii) secondary education funding,
- (iii) Minnesota school law,
- (iv) cooperative center structure,
- (v) AVTI system, and
- (vi) vocational-technical education division administration.

d. Renewed regular five-year vocational licensure.

(1) Repeated initial license. An individual holding an initial license for a director of local vocational programs is eligible to apply for an additional two-year initial license when not employed as a local vocational administrator.

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### (2) First five-year license.

(a) Peer review. The renewal procedure to gain the first five-year license shall include a review by a team of peers at the end of the applicant's initial year of licensed service as a director.

(i) Competency plan. The peer review shall result in a plan for the applicant to complete the competency requirements set forth in D.3.c.(1)(a) and (b) of this rule (above) during the second year of licensed service as a director.

(ii) Permanent licensure file. The competency plan established pursuant to D.3.d.(2)(a)(i) of this rule (above), shall become a part of the applicant's permanent licensure file.

(b) Renewal. Renewal for the first five-year license will require demonstration of proficiency in all seven competency areas.

### 4. Adult vocational director.

a. Licensure requirement. Any person holding a position as an adult vocational director shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) assisting the director in the performance of the duties set forth in D.1.a.(1)-(11) of this rule (above), as they relate to adult vocational programs,

(2) performing additional duties assigned by the local school district.

### b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college with a degree (baccalaureate or graduate level), including a major in one of the vocational services (agriculture, business and office, health, home economics and service, marketing and distribution, technical, trade and industrial), or the equivalent. This degree shall include or shall have added to it:

(a) a course in philosophy of vocational education; and

(b) nine quarter credits in courses such as:

- (i) administration,
- (ii) conference leading,
- (iii) coordination,
- (iv) management,
- (v) supervision.

(2) shall have completed 6,000 hours of occupational experience in a variety of occupations outside of education or teaching,

(3) shall qualify for a vocational license in one of the vocational administrative or service areas pursuant to these rules, and

(4) shall have completed three years of teaching

experience or administration in vocational education. Two of those three years shall have been spent in teaching, licensed as a vocational instructor or as a vocational post-secondary related subjects instructor.

E. Supervisory personnel. Vocational supervisory licensure areas include the areas of supervisor of vocational program areas or supervisor of vocational personnel services areas.

1. Local secondary, post-secondary and adult program supervisors of vocational education.

a. Licensure requirement. Any person holding a position as a local secondary, post-secondary, or adult program supervisor shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) developing, organizing, implementing, supervising, and promoting vocational programs in the assigned vocational discipline or personnel services area,

(2) evaluating programs and instruction, equipment, facilities, and condition for effective instruction,

(3) preparing vocational reports (descriptive and statistical) required by local, state, and federal agencies,

(4) recommending the purchase of equipment, supplies, and reference materials to the authorized local vocational administrator,

(5) organizing and consulting with advisory committees in cooperation with vocationally interested individuals, organizations, associations, and companies,

(6) providing leadership and encouraging the development and improvement of vocational student organizations for all levels of programs assigned,

(7) coordinating the assigned vocational program with other educational programs,

(8) providing for preservice and inservice teacher training in cooperation with teacher education institutions, business, and industry,

(9) participating in relevant conferences and meetings to maintain currency in the assigned vocational discipline,

(10) when assigned to do so by the authorized local vocational administrator, directing other employees and adjusting any grievances on behalf of the employer, and

(11) when assigned to do so by the authorized local vocational administrator, making recommendations to hire, transfer, suspend, promote, discharge, assign, reward or discipline other employees.

### b. Licensure criteria.

(1) Supervisors of agriculture occupations, business and office occupations, health occupations, home economics and service occupations, marketing and distribution occupations, technical occupations, trade and industrial occupations. An applicant:

## PROPOSED RULES

(a) shall be a graduate of an accredited college with a degree (baccalaureate or graduate level) in the corresponding area set forth below:

- (i) supervisor of agriculture occupations — agriculture education or technical agriculture;
- (ii) supervisor of business and office occupations — business education or business administration;
- (iii) supervisor of health occupations — occupational health area. The supervisor of health shall also hold a current, valid Minnesota license to practice in the field;
- (iv) supervisor of home economics and service occupations — home economics education;
- (v) supervisor of marketing and distribution occupations — program area with distributive education technical and professional components included or added;
- (vi) supervisor of technical occupations — technical subject area;
- (vii) supervisor of trade and industrial occupations — industrial education.

(b) shall have completed three years of teaching experience in the past five years as a vocationally licensed instructor in one of the approved vocational programs that will be supervised,

(c) shall have completed 6,000 hours of occupational experience in program area(s) supervised,

(d) shall have completed nine quarter credits or 108 clock hours in supervisory techniques, and

(e) shall have completed a course in philosophy of vocational education.

(2) Supervisor of practical nursing.

(a) Option one — The applicant:

(i) shall be a graduate of an accredited college with a degree (baccalaureate level) in nursing,

(ii) shall be a registered nurse, licensed pursuant to Minn. Stat. § 148.211 to practice in Minnesota,

(iii) shall have completed 6,000 hours of recent nursing experience, and

(iv) shall have completed the post-secondary vocational teacher education sequence set forth in 5 MCAR § 1.0784.

(b) Option two — The applicant:

(i) shall be a graduate of an accredited college with a degree (baccalaureate level) in nursing education,

(ii) shall be a registered nurse, licensed pursuant to Minn. Stat. § 148.211 to practice in Minnesota,

(iii) shall have completed 6,000 hours of recent nursing experience, and

(iv) shall have completed a course in philosophy of vocational education.

2. Supervisor in specialized program area.

a. Licensure requirement. Any person holding a position as a supervisor in a specialized post-secondary and adult program area shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) providing management of staff, instructional leadership, and coordination for all levels of instruction assigned,

(2) scheduling program instruction, including required related instruction for all levels of programs assigned,

(3) maintaining student monitoring and evaluation process for all levels of programs assigned,

(4) program advisory committees for all levels of programs assigned, and

(5) providing leadership and encouraging the development and improvement of vocational student organizations for all levels of programs assigned.

b. Licensure criteria. An applicant:

(1) shall meet the five-year licensure requirements for a post-secondary vocational education instructor in one of the program areas that will be supervised,

(2) shall have completed four years of vocational experience in teaching, supervision, or administration in one of the assigned vocational program areas. At least two of those four years shall have been in teaching under a vocational license,

(3) shall have completed:

(a) 2,000 hours of vocational education supervision experience; or

(b) 72 clock hours or six credits of training in supervision.

(4) shall have completed course work in one of the following areas:

(a) curriculum development; or

(b) evaluation of programs; or

(c) legal aspects of vocational education.

(5) shall have completed a course in philosophy of vocational education, and

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## PROPOSED RULES

(6) shall have completed a course in organization and administration of vocational education.

### 3. Supervisor of special needs.

a. Licensure requirement. Any person holding a position as a supervisor of special needs shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) preparing and implementing a delivery system which addresses itself to services for students with special needs,

(2) providing the necessary support services to the student with special needs where deemed appropriate,

(3) coordinating and facilitating inservice training to aid regular personnel to more adequately understand and meet the needs of the students with special needs, and

(4) providing annual reports to the state regarding progress of the local special needs programs.

### b. Licensure criteria. An applicant:

(1) shall be a graduate of an accredited college with a degree (baccalaureate or graduate level) in one of the following areas:

- (a) education;
- (b) counseling
- (c) psychology; or
- (d) vocational rehabilitation.

(2) shall have completed three quarter credits in each of the following:

- (a) philosophy of vocational education;
- (b) organization and administration of vocational education;
- (c) the exceptional child; and
- (d) teaching students with learning problems.

(3) shall have completed 12 quarter credits chosen from the following:

- (a) community resources, including corrections;
- (b) techniques of counseling and guidance;
- (c) chemical dependency;
- (d) interpersonal relations (other than the human relations course for educational personnel);
- (e) curriculum development and modification for special needs students;
- (f) education of the disadvantaged;
- (g) special learning problems in vocational education.

(4) shall have completed 18 clock hours of internship in existing special needs programs which include:

- (a) six clock hours of program management; and
- (b) six clock hours of student assessment; and
- (c) six clock hours of curriculum modification.

(5) shall have completed 2,000 hours of occupational experience outside of education or teaching (500 hour recency requirement not applicable).

c. License renewal. Prior to renewal of the first license, the applicant shall:

(1) complete the human relations requirement set forth in 5 MCAR § 1.0785, and

(2) complete six clock hours of special needs inservice training approved by the authorized local vocational administrator.

### 4. Supervisor of bilingual-bicultural special needs vocational programs.

a. Licensure requirement. Any person holding a position as a supervisor of bilingual-bicultural vocational education shall be licensed pursuant to this rule when responsible for any of the following activities:

(1) coordinating support service for the student with limited English-speaking ability special needs in the following manner:

(a) supervising the method utilized to facilitate entry into appropriate vocational course offerings;

(b) mobilizing the necessary supportive service needed by the limited English-speaking student to compete in and complete the vocational program; and

(c) monitoring the progress of the limited English-speaking student while in a vocational program.

(2) serving as a liaison between the limited English-speaking population, support personnel, and instructional personnel, and

(3) participating on an advisory committee for the program supervised.

### b. Licensure criteria. An applicant:

(1) shall meet the licensure criteria of a supervisor of special needs set forth in E.3.b.(1)-(5) of this rule (above),

(2) shall be bilingual-bicultural as appropriate to the student population served, and

(3) shall have completed one year of educational experience in the past five years in a bilingual program setting.

### 5. Student personnel services supervisor.

a. Licensure requirement. Any person holding a position as a student personnel services supervisor shall be

## PROPOSED RULES

licensed pursuant to this rule when responsible for any of the following activities:

(1) services which assist students to successfully more into and out of an AVTI or center, and make progress while so enrolled. Such services may include pre-enrollment services to students and parents, occupational and educational information, appraisal, orientation, housing, financial aids, student activities, and student accounting,

(2) working cooperatively with other personnel in follow-up, research, public relations, advisory committees, industry — relations, and job placement,

(3) establishing and maintaining liaison with schools in the geographic service area and other agencies and institutions relative to student services, and

(4) coordinating dissemination of information relevant to the pupil personnel services program in the AVTIs and/or centers.

b. Licensure criteria. An applicant:

(1) shall meet the licensure criteria of a vocational program counselor set forth in 5 MCAR § 1.0793 C.4.b.(1)-(4) or a student personnel services specialist set forth in 5 MCAR § 1.0793 C.5.b.(1) or (2), and

(2) shall have completed two years of experience as a vocational program counselor or a student personnel specialist in a post-secondary vocational-technical institution.



THE BAPTIST CHURCH in Rochester, Minnesota was the site of the first Minnesota Education Association meeting in 1861. (Courtesy of the Minnesota Historical Society)

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# PROPOSED RULES

5 MCAR §1.0799 Licensure charts.

SECONDARY LICENSURE CHART	RELEVANT EDUCATION			RECENT RELEVANT OCCUPATIONAL EXP			SPECIAL COURSES OR REQUIREMENTS								PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE	OPTION FOR PROVISIONAL								
	OPTIONS	Agriculture or Horticulture Ed Deg From Land-Grant College	(1) Technical Agriculture Degree	Business Education Degree	Secretarial/Clerical License	1 yr/2000 hours ROX	(2) 1 1/2 yrs/3000 hours ROX	(3) 3 yrs/6000 hours ROX	Recency Requirement	Sec. Voc. Teacher Education Sequence	6 Quarter Credits Agriculture Ed Prior to Teaching	3 Quarter Credits- Practicum In Agriculture Education	3 Quarter Credits- Supervision of Occupational Experience Program	(4) Non Resident Requirement	Demonstrable Competency in Area of Licensure Request	Appropriate Methods Course	(5) Cooperative Education Courses	(6) Experience in Co-op Education	(7) Model Office Courses	(8) Experience in Model Office	Coordination Techniques	Philosophy of Vocational Education	Human Relations	Philosophy of Vocational Education	Secondary Provisional 5 MCAR §1.0789 B.
AGRICULTURE EDUC. Instructor	A	X				X																X		X	
Emergency Provisional Instructor-Coodinator	A		X			X				X												X		X	
BUSINESS & OFFICE ED. Instructor	A	X		X		X		X						X	X							X		X	S
Instructor-Coodinator	A			X		X		X						X	X	X	X			X		X		X	S
Model Office Instructor-Manager	A			X		X		X						X	X			X	X			X		X	S
Instructor Spec. Area Bus & Office Ed.	A						X		X													X		X	

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

### ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. The agriculture instructor provisionally licensed with a technical agriculture degree shall complete six quarter credits in agriculture education prior to licensure, and shall meet the requirements for the agriculture education degree within five years, earning a minimum of six quarter credits per year on a prearranged program.

2. 500 hours ROX within the prior five years in the specific area in which the license is requested. Up to 1/2 of the required 3000 hours may be earned through supervised internship programs. A minimum of 500 actual (not supervised internship) hours shall be accumulated in each area of licensure requested.

3. After initial full licensure, work experience in a specific area may be updated to meet the 500 hour recency requirement through state-approved workshops of six quarter credits or 72 clock hours or an equivalent industrial seminar. In accounting and/or data processing, a non-paid supervised internship may be used to accumulate 1/2 of the required 500 hours.

4. Non-Minnesota graduates shall complete these courses in Minnesota prior to licensure: six quarter credits in supervision of occupational experience, including a practicum in agriculture education.

5. Materials and methods in business and office co-op education, and one additional approved vocational teacher education course.

6. One year business and office teaching experience, or one quarter internship in cooperative education.

7. Materials and methods in model office, plus office manager workshop of three quarter credits or 36 clock hours or equivalent industrial seminar, or a variety of office management experience (§1.0780 V.) equal to at least one-half of the required ROX.

8. One year business and office teaching experience or one quarter internship in model office.

# PROPOSED RULES

SECONDARY LICENSURE CHART	OPTIONS	RELEVANT EDUCATION				RECENT RELEVANT OCCUPATIONAL EXP			SPECIAL COURSES OR REQUIREMENTS						PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE	OPTION FOR PROVISIONAL			
		Relevant Education Degree	Related Degree	Community/Public Health Educ. Deg.	Non-Educ. Health Related Degree	Health Related Educ. Degree 2 or 3 year Related Post Secondary Program	Licensed as Instructor in Area	1 1/2 yrs/3000 hours ROX	2 yrs/4000 hours ROX	2 yrs/4000 hours ROX w/1000 hours in retail experience or spec. area	2 yrs/4000 hours ROX w/2000 hours in retailing midmanagement.	3 yrs/6000 hours ROX	Sec. Voc. Teacher Education Sequence	Org/Adm Vocational Education	Coordination Techniques	Philosophy of Vocational Education Course in DE Methods and Course in DE Curriculum	24 Technical Area Credits (1) DE Student Teaching or one year Previous Teaching Experience Supervised Teaching Internship During First Year of Teaching Workshop or Course on Model Store in First Two Years.	3 Add. Quarter Credits in Co-op Ed.	Human Relations	Philosophy of Vocational Education
COMMUNITY SERVICE OCCUPATION EDUCATION	A	X					X					X						X	X	S
	B		X				X					X						X	X	
	C					X	X					X						X	X	
	D								X		X							X	X	
DISTRIBUTIVE EDUC.	A				X	X						X	X				X	X		S
	Instructor	A	X					X				X		X	X	X		X	X	S
Model Store Instructor	A	X					X					X	X	X	X		X	X	X	S
	B							X				X		X	X	X	X	X	X	S
HEALTH OCCUPATIONS EDUCATION	A		X				X					X					X	X		S
	B			X			X					X					X	X		S
	C				X				X		X						X	X		S
	D				X		X				X						X	X		S
Instructor-Coordinator	A		X			X	X					X	X	X			X	X		S
	B		X			X	X				X	X	X			X	X			S
	C				X	X			X		X	X	X			X	X			S
	D				X	X		X			X	X	X			X	X			S

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

### ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

1. Twenty-four quarter credits in technical areas, with a minimum of two credits or 24 clock hours in each area: selling, management, advertising and sales promotion, visual merchandising, retailing, marketing, principles of economics, and principles of accounting. In specialized programs, relevant technical areas may be substituted. Excess ROX may be substituted for relevant technical areas at the rate of three quarter credits for one year of experience.

2. When no fully licensed instructor is available, 1/3 technical, 1/3 ROX, and 1/3 professional requirements may be completed on a two year contract with the exclusion of coordination techniques for the instructor-coordinator.

For option "B" of the Model Store Instructor, 1/3 technical and 1/3 professional requirements may be completed on a two year contract.

# PROPOSED RULES

	RELEVANT EDUCATION				RECENT RELEVANT OCCUPATIONAL EXP.		SPECIAL COURSES OR REQUIREMENTS			PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE	OPTION FOR PROVISIONAL				
	OPTIONS	(1)	(2)	(3)	(4)			(5)								
HOME ECONOMICS-Inst. in Consumer Homemkg.	A	X						X			X	X				S
Family Life Inst.	A		X					X			X	X				S
Nutrition Specialist	A		X								X	X				S
	B			X				X			X	X				
INDUSTRIAL EDUCATION Instructor of Career Cluster Components Examples: Welding, Auto Tune-Up, Broadcasting	A				X	X	X	X			X	X				S
	B				X	X	X	X			X	X				
	C					X	X	X			X	X				
Instructor-Coordinator Cooperative Programs	A			X		X	X	X	X	X	X					S

SECONDARY LICENSURE CHART

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

### ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. Included in or added to the degree shall be a minimum of six quarter credits of college approved courses with consumer emphasis in each of the following areas: (1) child development including field experience, (2) clothing and textiles, (3) consumer education, (4) family life education and parenting, (5) foods and nutrition, and (6) housing.

2. Degree inclusive of 27 quarter credits in college approved family life courses including a minimum of three quarter credits in each of the following areas: (1) family structure and function, (2) parent education, (3) relationships within the family and relationships of the family and its members to society, (4) development of human sexuality, and (5) curriculum methods and materials for family life education.

3. Included in or added to the degree shall be: (1) upper division college course in nutrition within the last five years, (2) methods and materials in teaching nutrition, pre-kindergarten through adult, (3) basic nutrition, (4) socio-cultural aspects of nutrition, and (5) physiology.

4. This requirement includes the courses listed in number three above.

5. Recommendation from an approved home economics program designee required when five years pass between the degree and the licensing, or between the expiration of the license and the renewal.

6. Provisional license for Family Life granted with a minimum of 18 quarter credits, with the balance of the 27 credits completed within two years.

7. When no nutrition specialist is available, a provisional will be issued to consumer homemaking instructors wishing licensure. The courses required for this area shall be completed prior to relicensure in two years.

8. Provisional granted to a person with a vocational home economics education degree in Service occupations, including a minimum of 2/3 of the required consumer homemaking credits, with a minimum of three quarter credits in each of the six components prior to initial licensure. The remaining third of the credits shall be completed prior to relicensure in two years.

# PROPOSED RULES

SECONDARY LICENSURE CHART	OPTIONS	RELEVANT EDUCATION				RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS				PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSURE	OPTION FOR PROVISIONAL	
		(1)	(1)	(2)	(3)	(4)	(4)	(4)	(4)	(5)	(5)	(5)	(5)				
OTHER VOCATIONAL CLUSTERS	A		X														
	B			X													
	C				X												
	D								X	X							
Instructor	A																
	B			X													
Instructor-Coordinator	A		X		X				X	X	X	X					S
	B			X	X				X	X	X	X					
SERVICE OCCUPATIONS	A	X							X								S
	B									X			X				
	C			X					X				X				S
	D		X						X				X				S
	E				X				X				X				
Instructor-Coordinator in Service Occupations	A	X				X	X		X								S
	B			X			X	X		X	X	X	X				S
	C		X				X	X		X	X	X	X				S
	D				X			X	X	X	X	X	X				

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.

### ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

1. Approved VE degree in hospitality and recreation or personal service occupations or vocational home economics degree in wage-earning service occupations.

2. Comprehensive program options require licensure as an instructor under the Service Occupations options A, C, D, or E. The 2000 hours ROX requirement must be earned in a minimum of two different areas, with 1500 hours in area of instructor licensure, and the remainder in one or more additional service occupation areas.

3. Single content area program options require licensure as an instructor under options A, C, D, or E of the Service Occupations requirements.

4. State-approved supervised non-paid work experience of up to 250 hours may be applied toward 500 hours required within the last five years.

5. Maximum of four annual renewals allowed to complete technical component. Six quarter credits are required prior to initial licensure. The minimum rate of progression is six quarter credits per year.

# PROPOSED RULES

	RELEVANT EDUCATION		RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS				PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE							
	OPTIONS	Related Education Degree	Related Non-Education Degree	Business Education Degree	Post Secondary License-Secretary With Shorthand/Secretary Without license: PS Business & Office Area	2 years PS Education	2 yrs/4000 hours ROX	2 yrs/4000 hours ROX w/2000 hours in specialty	3 yrs/6000 hours ROX	Internship Program Limitation (1) 500 Hour Recency Clause not Applicable as Endorsement	PS Teacher Education Sequence	Office Management Workshop (2)	Model Office Materials-Methods One Quarter Model Office Internship Or One Year Business Ed Teaching	Shorthand/Typing License Option (3)	Word Processing Workshops Verification of Typing Competency And Related Methods Course (4)	Philosophy of Vocational Education	Coordination Techniques	Human Relations	Philosophy of Vocational Education
POST-SECONDARY LICENSURE CHART																			
AGRICULTURE EDUCATION	A	X					X			X							X	X	
Instructor: Ag Business, Natural Resources, Environmental Protection	B		X				X			X							X	X	
BUSINESS AND OFFICE EDUCATION	C					X		X		X							X	X	
Instructor: Secretarial/Clerical Occupations	A			X			X		X	X			X				X	X	
Instructor: Specialized Secretarial/Clerical Occupations	B		X				X		X	X			X				X	X	
Instructor: Specialized as Identified (including but not limited to Banking, Accounting, Data Proc., Practical Business Management)	C						X	X		X			X				X	X	
Model Office Instructor-Manager	A	X					X		X	X	X	X		X	X		X		
Word Processing Specialist	A			X			X		X	X			X	X			X		
Related Instructor Communications & Math	A	X					X		X	X							X	X	
Internship Instructor	A				X		X		X	X				X	X		X		

### ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

VE: Vocational Education.

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

1. Only one-half of the required hours for licensure may be taken through an approved internship program.

2. Office management workshop of three quarter credits or 36 clock hours, or a variety of office management experience (\$1,0780 V.) equal to at least one-half of the required ROX.

3. Shorthand and/or typing licensure requires verification of competency plus related methods course.

4. Word processing workshops of six quarter credits or 72 clock hours or equivalent industrial experience, covering both an orientation to word processing and the supervisor's role in a word processing center.

# PROPOSED RULES

	RELEVANT EDUCATION		RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS						PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSE											
	OPTIONS	Related Degree	Appropriate Education Degree	Appropriate Non-Education Degree	Health-Related PS Program	2 Yrs PS Education Licensure/Registration by Appropriate Board	Practicing License/Registration (1)	Instructor License in Area (2)	2 Yrs/4000 hours ROX	2 1/4 yrs/4500 hours ROX	3 Yrs/6000 hours ROX	3 Yrs/6000 hours ROX w/2000 within prior 5 yrs.	2 Yrs Teaching Experience	4 Yrs/8000 hours ROX	Special Recency Requirement (3)	Related Hours Requirement (4)	PS Teacher Education Sequence	Distributive Education Methods	Distributive Education Curriculum	One additional VE Course	Renewals/Minimal Progress (5)	Technical Courses (6)	Coordination Techniques Curriculum Course	Human Relations	Philosophy of Vocational Education
POST-SECONDARY LICENSURE CHART																									
DISTRIBUTIVE EDUCATION	A	X						X						X	X		X	X	X	X	X	X		X	X
Instructor/Instructor Coordinator	B								X					X	X		X	X	X	X	X	X		X	X
HEALTH EDUCATION	A					X	X		X					X									X	X	
Instructor-Coordinator	A	X				X	X		X					X			X					X		X	X
	B			X		X	X		X					X								X		X	X
SERVICE, HOSPITALITY, AND HOME ECONOMICS EDUCATION	A		X				X	X									X						X	X	
	B		X				X	X									X						X	X	
Instructor Occupational	C					X				X							X						X	X	
Instructor-Coordinator Occupational	A					X	X					X										X		X	X
Instructor Consumer Homemaking	A		X																				X	X	
	B			X													X						X	X	
INDUSTRIAL EDUCATION	A												X				X						X	X	
Instructor	B				X			X									X						X	X	
TECHNICAL EDUCATION	A				X					X							X						X	X	

- VE: Vocational Education.
- ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.
- Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.
- Education Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.
- Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.
- ELABORATION ON SPECIAL COURSES OR REQUIREMENTS
- Licensure, registration, or program certificate is required to teach in program areas where such is required to practice in the field.
  - Areas such as First Aid Instructor, or Cardio-Pulmonary Resuscitation (CPR) Instructor and vocational license for Instructor Coordinator.
  - In the general program: 1000 hours within the prior five years. In the specialized program: 1000 specialized hours within the prior five years.
  - In the general program: 1000 hours of retail experience. In the specialized program: 3000 hours in the specialized area.
  - The total six courses in this teacher education sequence shall be accomplished within a maximum period of three annual renewals, with a minimum progress of two courses annually.
  - Twenty-one quarter credits in technical areas, with a minimum of 24 clock hours or two quarter credits in each of the following: selling, management, advertising, visual merchandising, retailing, marketing, and economics. In the specialized program, relevant technical areas may be substituted. Excess ROX may be substituted for relevant technical area courses at the rate of one year for three quarter credits.

# PROPOSED RULES

FULL-TIME ADULT LICENSURE CHART	OPTIONS	RELEVANT EDUCATION					RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS				PRIOR TO FIRST RENEWAL	PRIOR TO 5 YEAR LICENSURE					
		At Ed Deg from Land Grant-College (1)	BS in Technical Ag Related Education Degree (2)	Related Non-Education Degree (2)	2 years Related PS Education	Bus Ed or Dist Ed Degree	Voc Ed Degree in Home Ec Ed (3)	Deg Options & Family Life Core (4)	Ed Degree & Family Life Core (5)	1. yr/2000 hours ROX	2. yrs/4,000 hours ROX	3 yrs/6000 hours ROX	3 yrs/6000 hours ROX-Dist Ed (6)	Small Business Management Workshop in First yr of Teaching			Vocational Teaching Methods	Approved VE Course	Technical Preparation (7)	3 Credits in Adult Methods	PS Teacher Education Sequence
<b>AGRICULTURE EDUCATION</b>																					
Instructor	A	X							X											X	X
Ag Ed Emergency Provisional License	A		X							X										X	X
Ag Ed Veteran's Instructor	A	X							X											X	X
Ag Ed Veteran's Provisional	A		X							X										X	X
Ag Ed Specialty Instructor	A			X						X							X			X	X
	B			X						X							X			X	X
	C				X						X						X			X	X
<b>DISTRIBUTIVE EDUCATION</b>																					
Adult Small Business Management Instructor	A					X					X	X								X	X
	B			X							X	X	X	X			X			X	X
	C				X						X	X	X	X			X			X	X
	D										X	X	X	X	X		X			X	X
<b>HOME ECONOMICS EDUCATION</b>																					
Instructor	A						X										X			X	X
Parent Education	B							X									X	X		X	X
	C								X								X	X		X	X

\* Family Life Core: (1) family structure and function, (2) parent education, (3) relationships within the family and relationships of the family and its members to society, (4) child development, and (5) curriculum, methods, and materials for family life education.

Provisional license for Parent Education Instructor under option C granted with a minimum of 18 quarter credits, with the balance of the 27 credits completed within two years.

- VE: Vocational Education.
- ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.
- Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.
- Education: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.
4. A degree in early childhood education, family life, child development, or general home economics, inclusive of three quarter credits in each of the five areas in the family life core. \*
  5. Education degree plus 27 quarter hours in the family life core, with at least three quarter credits in each of the five areas. \*
  6. In distributive education, 6000 hours ROX must be in retailing, servicing, and/or manufacturing at the management level as owner, owner-manager, or manager, including 2000 hours within the prior five years.
  7. Technical preparation includes: 48 clock hours in accounting, plus 24 clock hours in each of four areas chosen from: (1) business law, (2) consumerism, (3) credit and collections, (4) government regulations, (5) income tax, (6) inventory control, and (7) marketing. For fulfilling these requirements, excess management ROX may be substituted for relevant technical areas at the rate of one year for 24 clock hours.
  8. The required schedule: completion of or pre-arrangement for workshop curriculum in small business management prior to initial licensure; human relations and one additional vocational education course during initial two year licensure; and one additional course per annual renewal.

### ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. Maximum of five years to complete requirements for an agriculture education degree, at a minimum of six quarter credits per year on a prearranged program. The applicant shall have completed or be enrolled in courses worth six quarter credits at the time of licensure.
2. In distributive education, this would be a degree in an area such as business administration, economics, or accounting.
3. Vocational education degree in home economics education, inclusive of three quarter credits in each of the five areas in the family life core. \*

# PROPOSED RULES

SPECIAL NEEDS LICENSURE CHART	RELEVANT EDUCATION						RECENT RELEVANT OCCUPATIONAL EXP		SPECIAL COURSES OR REQUIREMENTS						PRIOR TO FIRST REFERRAL					
	OPTIONS	Education Degree	Vocational Education Degree	Special Education Degree	Counseling Degree	Psychology Degree	Vocational Rehabilitation Degree	1 yr./2000 hours ROX	500 Hour Recency Clause Not Applicable	Support Service Course Sequence (1)	The Exceptional Child Teaching Students With Learning Problems	18 Hour Internship (2)	Techniques of Guidance and Counseling	Occupational Analysis	Vocational Tests and Measurement	Work Evaluation Vocational Evaluator Course Sequence (3)	Philosophy of Vocational Education	Special Needs Provisional 5 MCAR \$1,0792B.	Human Relations	6 Hours Special Needs Inservice (4)
SUPPORT SERVICE MANAGERS	A	X						X	X	X	X	X				X	S	X	X	
	B		X					X	X	X	X	X				X	S	X	X	
	C			X				X	X	X	X	X				X	S	X	X	
	D				X			X	X	X	X	X				X	S	X	X	
	E					X		X	X	X	X	X				X	S	X	X	
	F						X	X	X	X	X	X				X	S	X	X	
VOCATIONAL EVALUATOR	A	X					X	X				X	X	X	X	X	S	X	X	
	B		X				X	X				X	X	X	X	X	S	X	X	
	C			X			X	X				X	X	X	X	X	S	X	X	
	D				X		X	X				X	X	X	X	X	S	X	X	
	E					X	X	X				X	X	X	X	X	S	X	X	
	F						X	X				X	X	X	X	X	S	X	X	
	G	X					X	X								X	X	S	X	X
	H		X				X	X								X	X	S	X	X
	I			X			X	X								X	X	S	X	X
	J				X		X	X								X	X	S	X	X
	K					X	X	X	X							X	X	S	X	X
	L						X	X	X							X	X	S	X	X

S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.  
 ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.  
 Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.  
 Education: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

**ELABORATION ON SPECIAL COURSES OR REQUIREMENTS**

- In addition to the general requirements, complete 12 quarter credits chosen from the following courses: Community Resources Including Corrections, Techniques of Counseling and Guidance, Chemical Dependency, Interpersonal Relations, Curriculum Development and Modification for Special Needs, Education of the Dis-advantaged, and Special Learning Problems in Vocational Education.

To be eligible for the provisional license, applicants shall have completed all general course requirements, plus two-thirds of the credits required by the above sequence.

2. Internship consists of:
  - 6 hours classroom observation
  - 6 hours student assessment
  - 6 hours curriculum modification
3. Complete a total of 180 clock hours of course content through workshops covering all of the following areas: The Exceptional Child, Techniques of Guidance and Counseling, Work Evaluation, Occupational Analysis, Vocational Tests and Measurement, Curriculum Development and Modification for Special Needs.

To be eligible for the provisional license, applicants shall complete all general course requirements, plus two-thirds of the clock hours required by the above sequence.

4. As approved by the local education agency.

# PROPOSED RULES

SPECIAL NEEDS LICENSURE CHART	RELEVANT EDUCATION				RECENT RELEVANT OCCUPATIONAL EXP				SPECIAL COURSES OR REQUIREMENTS				PRIOR TO FIRST RENEWAL											
	OPTIONS	Education Degree	Vocational Education Degree	Special Education Licensure (1)	Counseling Degree	Degree With 12 or More Math Credits	1/2 yr/1000 hours ROX	1 yr/2000 hours ROX	1000 Hours Experience Teaching Students With Reading Problems	1000 Hours Experience Teaching Students With Math Problems	1000 Hours Teaching Students With Limited English Speaking Ability	500 Hour Recency Clause Not Applicable	Philosophy of Vocational Education	Coordination Techniques	Work-Experience Program Sequence (2)	18 Hour Internship Course in Teaching Students With Reading Problems (3)	Course in Teaching Students With Math Problems	Course in Teaching Students With Limited English Speaking Ability	40 Hr. Internship Under Licensed Advisor Bilingual/Bicultural in English/ Relevant Other Language	Vocational Advisor Course Seq. (4)	Special Needs Provisional 5 MCAR \$1,0792B.	Human Relations	Philosophy of Vocational Education	6 Hours Special Needs Inservice (5)
INSTRUCTOR-COORDINATOR WORK EXPERIENCE PROGRAMS	A	X					X					X	X	X	X					S	X		X	
	B		X				X					X	X	X	X					S	X		X	
	C			X			X					X	X	X	X					S	X		X	
	D				X		X					X	X	X	X					S	X		X	
POST SECONDARY REMEDIAL RELATED MATH INSTRUCTOR	A	X				X		X		X												X	X	X
	B	X				X				X							X					X	X	X
	C				X		X		X		X											X	X	X
	D				X		X			X						X						X	X	X
POST SECONDARY REMEDIAL RELATED READING INSTRUCTOR	A	X				X		X		X												X	X	X
	B	X				X				X					X							X	X	X
BILINGUAL-BICULTURAL REMEDIAL RELATED READING INSTRUCTOR	A	X				X				X	X							X				X	X	X
	B	X				X				X							X		X			X	X	X
POST-SECONDARY VOCATIONAL ADVISORS	A					X				X		X						X	X		X	X	X	

- S: Designates the requirements or schedule of requirements for applicants seeking a provisional license.
  - ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.
  - Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.
  - Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.
1. Required for Work Experience Handicapped. (EDU 122-B-4-d)
  2. In addition to the general requirements, complete 18 quarter credits chosen from the following courses: The Exceptional Child, Teaching Students With Learning Problems, Community Resources Including Corrections, Techniques of Guidance and Counseling, Chemical Dependency, Interpersonal Relations, Curriculum Development and Modification for Special Needs, Education of Disadvantaged, and Special Learning Problems in Vocational Education.
  3. Internship consists of:
    - 6 hours classroom observation
    - 6 hours curriculum modification
    - 6 hours on-job training observation
  4. Complete nine quarter credits chosen from the following courses: Counseling the Culturally Disadvantaged, Interpreting Personal Assessment Results, Understanding Human Behavior, and Career Development.
  5. As approved by the local education agency.

ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

# PROPOSED RULES

SPECIAL NEEDS LICENSURE CHART	RELEVANT EDUCATION						RECENT RELEVANT OCCUPATIONAL EXP			SPECIAL COURSES OR REQUIREMENTS			PRIOR TO FIRST RENEWAL					
	OPTIONS	Education Degree	Vocational Education Degree	Special Education Degree	Counseling Degree	Vocational Rehabilitation Degree	ESL-Related Degree (1)	National Registration				Philosophy of Vocational Education	Second Language Teaching Methods Course	Recommended by Local Director	National Interpreter Training Consortium or Equivalent	Human Relations	Philosophy of Vocational Education	6 Clock Hours Special Needs Inservice (2)
SUPPLEMENTAL SUPPORT STAFF/TECHNICAL TUTOR	A													X		X	X	X
INTERPRETER FOR THE DEAF	A					X		X	X							X	X	X
	B							X	X					X		X	X	X
OCCUPATIONAL ENGLISH AS A SECOND LANGUAGE INSTRUCTOR	A					X		X	X	X						X	X	X
	B					X		X	X		X					X	X	X
	C	X						X	X	X						X	X	X
	D	X						X	X		X					X	X	X

ROX: Recent, relevant occupational experience. Unless otherwise indicated, ROX means paid experience outside of education or teaching and includes at least 500 hours within the prior five years.

Deg: Degree. Unless otherwise indicated, "Degree" means a four-year baccalaureate degree from an accredited college or university.

Education Degree: Baccalaureate or higher degree in a recognized educational field including at least 27 quarter credits in education with six quarter credits of student teaching.

## ELABORATION ON SPECIAL COURSES OR REQUIREMENTS

1. English as a Second Language related degree in Linguistics, Foreign Language, or English.
2. As approved by the local education agency.

## PROPOSED RULES

### 5 MCAR § 1.0074 Procedure for licensure of staff.

A. Licensed personnel shall meet the licensure requirements of the state plan for vocational technical education.

1. Licenses become valid on the date of approval by the state board for vocational education. For a local education agency to be eligible for aid, staff shall be vocationally licensed prior to payment for services rendered. All licenses shall bear the date of issue and shall expire the specified number of years from July 1 nearest such date.

2. For those persons meeting stated requirements in both education and occupational experience, an initial entry license shall be issued for a period of two years. Maximum subsequent licensure shall be for five years.

3. A permit or license may be issued according to the vocational teacher education sequence to individuals not holding a vocational education degree when state plan requirements have been met.

4. To be considered, complaints or requests for corrections on licenses shall be made to the commissioner of education within ninety days of issuance.

#### B. Renewal of license.

1. Renewal applications shall not be accepted prior to January 1 of the year of expiration, with the renewal period commencing on the expiration date.

2. Renewal of the two year license, the one year permit or renewal, and the three year adult supplementary license shall be in accordance with the State Plan for Vocational Technical Education and shall be submitted to the commissioner of education for approval. Renewal of licenses issued for a maximum of five years shall require upgrading activities as set forth in the state plan for vocational technical education with the content pre-approved by the local vocational license committee and subsequently approved by the commissioner of education. If the content is disapproved, approval may be sought from the commissioner of education.

3. Individuals on the teacher education sequence as set forth in the state plan may request renewals of one year until total qualifications are achieved, at which time a regular five year license may be approved.

4. Reactivation of lapsed licenses (expired two or more fiscal years) requires satisfaction of appropriate current state plan for vocational technical education requirements. Vocational teacher education sequence requirements stated in terms of clock hours may also be met with equivalent college courses with twelve clock hours equal to one quarter credit.

5. Vocational staff shall be subject to the continuing education structure as outlined in the Minnesota State Plan for Vocational Technical Education. Such licensure, except for authorized local administrators as defined in § 1.0070 B., shall be recommended by the local vocational relicensure committee. Vocational staff employed in school districts or state board approved vocational or cooperative centers cur-

rently employing a combination of individuals with standard and vocational licenses shall select one of the options listed below. The selection of alternatives shall be made by a vote of these staff members currently using vocational licensure, and such election shall originally be supervised by the chairperson of the local continuing education committee established under Minnesota Statute 125.187, subd. 4.

a. Vocational staff may select the existing local relicensure committee, except that five vocationally licensed vocational staff members currently practicing full-time on a valid vocational license, as elected in secret ballot by the district or state board approved vocational or cooperative center vocationally licensed staff, shall be the teaching faculty members of the committee whenever issues of vocational licensure arise.

b. A separate local vocational relicensure committee may be formed by the election of five vocationally licensed staff currently practicing full-time on a valid vocational license. The committee will be elected by the staff who are currently using vocational licensure in the district or state approved vocational or cooperative center. The committee shall also have one representative from administration and one from the residents of the district or center. The administrator is to be elected by the licensed administrators of the district or center. The resident shall be designated by the local school board, but may not be an employee of the district or center. School board members are not considered to be employees of the district. This option shall be limited to those school districts or state board approved vocational or cooperative centers utilizing twenty-five (25) or more vocational licenses.

c. Vocational staff in two or more districts or state board approved vocational or cooperative centers situated in close proximity may operate under the provisions of either option (a) or (b) with regard to the composition of the local vocational committee and method of identification of committee members.

In the event that a local relicensure committee cannot be established before July 1, 1978, relicensure may be recommended by the local vocational administrator until December 31, 1978.

d. Vocational teachers may be subject to the local continuing education/relicensure committee as currently established, when such teachers teach in a district which employs less than five vocational teachers or which is geographically isolated so it cannot feasibly cooperate with another district.

C. A limited permit for a maximum of 30 days may be approved through the commissioner of education in order to meet an emergency need for a short term instructor/substitute. An emergency need is defined as:

1. A medical emergency of an instructor, or

2. Hiring on such short notice that it is impossible to gather and submit credentials for approval of licensing prior to the starting date.

## PROPOSED RULES

D. Individuals may petition the commissioner of education for an examination as approved in the state plan. In such cases the commissioner of education shall appoint an examining committee. The committee shall include at least three members who are recognized as representative of and knowledgeable about the position and/or occupation for which the license is to be issued. In the case of local personnel, one member must be a vocational educator and one person in a position of similar employment as that of the applicant. A fourth member shall be a lay member, if available. In addition to an interview, the committee may require a written examination or a performance examination or both and shall submit its recommendation in writing to the commissioner of education.

E. No unsuccessful candidates for licensure or relicensure

by the committee review route shall be allowed to be reexamined until one year has elapsed since previous examination. A candidate questioning an adverse recommendation from a committee shall have a maximum of 30 days from the date of notice to submit a written review of the areas over which there is disagreement with the committee's recommendation to the commissioner of education which shall be reviewed by the state board for vocational education.

F. When emerging occupations or innovative experimental or exemplary programs create new instructional positions which are not governed by the licensing criteria in the state plan for vocational technical education, the commissioner of education may recommend the issuance of a license for the instructional staff of that program.

## SUPREME COURT

### Decisions Filed Friday, September 7, 1979

#### Compiled by John McCarthy, Clerk

49182/175 Patrick E. Tracy 49322 vs. Streater/Litton Industries, et al, Relators, and George E. Geler 49182 vs. Doyle Connor Company, et al, and Lumberman's Mutual Insurance Co., and Travelers Insurance Company, intervenor, Leonard Shuft 49555 vs. Farmers Union Coop Oil Association, et al, Relators. Workers' Compensation Court of Appeals.

Minn. St. § 176.021, subd. 3, allowing payment of workers' compensation benefits for both permanent partial disability and either temporary total disability or temporary partial disability does not deny the employer constitutional due process by permitting an award for a functional loss as well as for a loss of earning capacity.

Affirmed. Otis, J. Took no part, Todd, J.

48349/371 Can Manufacturing Institute, Inc., et al, Appellants, vs. State of Minnesota, Minnesota Pollution Control Agency, an Agency of the State of Minnesota, and Its Executive Director. Ramsey County.

Minnesota's Package Review Act (Minn. St. § 116F.06) and the regulations for package review promulgated under the statute by the Minnesota Pollution Control Agency do not impose undue burden on interstate commerce and are not so vague and imprecise that they constitute a taking of plaintiffs' property without due process of law.

In the following respects, however, the regulations are contrary to legislative intent under § 116F.06:

a. Authorization for the promulgation of regulations with the force and effect of law is absent from § 116F.06. The regulations, therefore, cannot be considered to have the force and effect of law.

b. The "grandfather clause" contained in § 116F.06, subd. 2, unambiguously indicates legislative intent to exclude from MPCA review any package sold at retail prior to May 25, 1973. The regulations are invalid to the extent they purport to include any such package.

c. It is clear from the language of § 116F.06, subd. 2, that the legislature intended a package manufacturer to be an active participant during the entire package review process. The regulations are contrary to notification to a manufacturer of the MPCA's determination to review a package.

Affirmed in part; reversed in part. Peterson, J. Took no part, Otis, J.

48827/111 Clover Leaf Creamery Company, et al, vs. State of Minnesota, Appellant. Ramsey County.

Laws 1977, c. 268, which creates a statutory classification whereby plastic nonrefillable milk containers are banned and paper milk containers are preserved, violates the equal protection clause of the Fourteenth Amendment to the United States Constitution, because the classification is not rationally related to a legitimate state interest:

(a) The evidence conclusively demonstrates that in the categories of solid waste management, energy waste, and depletion of natural resources (matters of specific concern in the Act), the environmental

**KEY: RULES SECTION** — Underlining indicates additions to proposed rule language. **Strike outs** indicate deletions from proposed rule language. **PROPOSED RULES SECTION** — Underlining indicates additions to existing rule language. **Strike outs** indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material."

## SUPREME COURT

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effects of paper milk containers are not less harmful than the environmental effects of plastic nonrefillable milk containers, and

(b) The evidence further establishes that the classification will not promote the Act's stated goal of encouraging the use of refillable milk containers.

Affirmed. Peterson, J. Dissenting. Wahl, J.

**48075/387**      **State of Minnesota vs. LeRoy McCullum, Appellant.**  
**Hennepin County.**

Although the length and severity of a beating may not, alone, suffice to establish premeditation beyond a reasonable doubt, such a beating may, in conjunction with other circumstances, be sufficient to sustain a jury finding of first degree murder.

Testimony of a police officer concerning the defendant's exercise of his constitutional right to counsel is not usually a proper subject of examination but where defendant opened the door by introducing testimony of his cooperation with the police it may be admissible to rebut that evidence. In any event, the testimony was stricken and the jury cautioned to disregard it, so no prejudice to the defendant resulted.

Affirmed. Kelly, J. Concurring specially, Wahl and Rogosheske, JJ. Took no part, Sheran, C. J.

**48045/156**      **Wilbur Gudvangen, Individually, and as Guardian**  
**(1978)**          **Ad Litem of Gail Gudvangen, a Minor, Appellant, vs.**  
**Austin Mutual Insurance Company. Polk County.**

The court reconsidered en banc its decision that the uninsured motor vehicle coverage, Minn. St. 1976, § 65B.49, subd. 4, required coverage for uninsured motorcycles.

Held, that case law prior to no fault insurance applied uninsured motorist statutes to persons rather than vehicles, and the legislature intended to incorporate the uninsured motorist statutes intact into no fault. Further, the 1977 amendments to no fault were merely clarifying. Thus, there was no issue of retroactivity in this case.

The prior decision to reverse was affirmed. Yetka, J. Dissenting, Otis and Peterson, JJ.

**49615,**              **R. Lora Ewers, trustee for the Heirs of Patrick Keith**  
**49642/298**      **Ewers, vs. 49615 and 49642 Thunderbird Aviation,**  
**49812/302**      **Inc., et al., Appellants, and Stan Davies, Trustee, et**  
**al., vs. 49812 Brandt L. Dahlberg, et al. Hennepin**  
**County.**

The intent of Minn. St. § 360.0216 is to impose vicarious liability on an aircraft owner to persons injured as a result of pilot negligence when the aircraft is operated in this state at some point during the ill-fated flight.

The legislature also intended that a lessee/sublessor be included as an "owner" within the meaning of § 360.0216.

Affirmed. Scott, J. Dissenting, Otis, J., Sheran, C. J., Rogosheske and Peterson, JJ.

## STATE CONTRACTS

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Pursuant to the provisions of Minn. Stat. § 16.098, subd. 3, an agency must make reasonable effort to publicize the availability of any consultant services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Department of Administration procedures require that notice of any

consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal.

### Department of Administration Intergovernmental Information Systems Advisory Council

### Notice of Request for Proposals for Computer Aided Property Appraisal System

The Intergovernmental Information Systems Advisory Council (IISAC) is interested in the design and pilot imple-

mentation of a Computer Aided Property Appraisal System to serve medium-sized Minnesota counties and/or cities. In this regard, a Request for Proposal (RFP), which further delineates the requirements and constraints of this potential effort, will be distributed to all known interested firms. The deadline for receipt of the proposal is October 19, 1979. Anyone not receiving the RFP and desiring more information is requested to contact Roger Sell, Executive Director of IISAC; at (612) 297-2172.

**Department of Economic Security  
Program and Management Support Division**

**Notice of Request for Proposals to Develop Procedures for Personnel Administration**

The Minnesota Department of Economic Security is requesting consultant services to develop and provide a personnel procedures document. This document will incorporate the State of Minnesota personnel rules, AFSCME Council 6 agreement and existing agency procedural letters into an agency policy document. Proposals can be obtained by contacting:

Minnesota Department of Economic Security  
Attention: Marijo Olson (612) 296-3700  
390 North Robert Street  
St. Paul, Minnesota 55101

It is anticipated that this project will not exceed a cost of \$10,000.

Closing date for accepting proposals will be October 1, 1979.

**Energy Agency**

**Notice of Request for Proposals for Contractual Services Regarding Emergency Rules During Petroleum Shortages**

Notice is hereby given to request proposals for consultant contract services for the purpose of assisting the Minnesota Energy Agency in the development of rules which could be implemented during petroleum emergencies. An energy

emergency is defined as the inability of voluntary conservation measures to eliminate shortages in energy. Therefore, an energy emergency necessitates the implementation of government-mandated conservation measures, inventory management, and/or curtailment of deliveries. If the state experiences a mild energy shortage, voluntary and mandated conservation measures may be sufficient to eliminate the shortage. However, severe energy shortages may necessitate the use of strict rules which can be used to force the closure of some buildings, businesses and/or other operations. The rules will be designed to protect life and health and minimize economic hardships in Minnesota. The Agency will provide the personnel to write such rules and will use its personnel, methodologies, and data to estimate the impact of such rules.

Emergency rules will allow the government to become involved in many actions which previously have been considered private decisions. These rules may be used to force conservation, manage the inventories of end-users, and/or determine who will receive energy in what quantities. Therefore, the Agency is seeking input from the public and will be holding public meetings.

The Agency is seeking assistance from consultant contractors to aid in two phases of the development of rules for petroleum emergencies. First, the Agency requests proposals to coordinate public input and meetings. Second, the Agency requests proposals from consultant contractors to help establish criteria by which curtailment decisions will be made.

Proposals must be submitted before October 8, 1979. The estimated total amount of all contracts is \$15,000. For additional information please contact:

David Buller  
Minnesota Energy Agency  
980 American Center Building  
150 East Kellogg Boulevard  
St. Paul, Minnesota 55101  
Phone: (612) 296-8285

# OFFICIAL NOTICES

Pursuant to the provisions of Minn. Stat. § 15.0412, subd. 6, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on

the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

## Department of Administration Office of the Commissioner

### Notice of Application for a Planning Grant with the National Telecommunications and Information Administration

The North Central Telecommunications Consortium, of which the State of Minnesota is a member, has filed an application for a planning grant with the National Telecommunications and Information Administration, Department of Commerce — File No. 128-P/C790088-P, to conduct cooperative regional telecommunications developments in conjunction with the States of Illinois, Indiana, Iowa, Michigan, Minnesota, and Wisconsin. Proposal determined acceptable: June 5, 1979. Estimated total project costs: \$78,500. Grant requested: \$54,000. Application signed by: Kenneth E. Lindner, Secretary, Department of Administration, State of Wisconsin. A copy of the application may be inspected at the offices of the Department of Administration, State of Minnesota, St. Paul, Minnesota, 55155, Monday through Friday from 8:00-4:30. Comments supporting or opposing the application may be filed with the Administrator, National Telecommunications and Information Administration, Public Telecommunications Facilities Program, Washington, D.C. 20005, within 30 calendar days from the date of this public notice, and must be accompanied by a certificate that a copy of the comments have been mailed to the applicant.

## Department of Agriculture Agronomy Services Division

### Notice of Special Local Need Registration for Dursban 2E Insecticide

Pursuant to Minn. Stat. § 18A.23 and 3 MCAR § 1.0338 B., the Minnesota Department of Agriculture on September 4, 1979, issued a Special Local Need Registration for Dursban

2E Insecticide manufactured by Dow Chemical Company, P.O. Box 1706, Midland, Michigan 48640.

Commissioner of Agriculture, based upon information in the application, has deemed it in the public interest to issue such a registration, and has deemed that the information in the application indicates that the pesticide does not have the potential for unreasonable adverse environmental effects.

In addition to the uses prescribed on the product label, this Special Local Need Registration permits the use of this pesticide to control overwintering populations of the native elm bark beetle on elm trees.

The application and other data required under Minn. Stat. §§ 18A.22, subd. 2 (a-d), 18A.23 and 40 CFR 162.150-162.158, subpart B relative to this registration (identified as SLN # MN 79-0014) is on file for inspection at:

Minnesota Department of Agriculture  
Pesticide Control Section  
656 State Office Building  
Saint Paul, Minnesota 55155  
(612) 296-8379

A federal or state agency, a local unit of government, or any person or group of persons filing with the Commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, has thirty (30) days to file written objections with the Commissioner of Agriculture regarding the issuance of this Special Local Need Registration. Upon receipt of such objections and when it is deemed in the best interest of the environment or the health, welfare, and safety of the public, the Commissioner of Agriculture shall order a hearing pursuant to Minn. Stat. ch. 15 for the purpose of revoking, amending, or upholding this registration.

September 4, 1979

Mark W. Seetin  
Commissioner

### Notice of Special Local Need Registration for Dursban 4E Insecticide

Pursuant to Minn. Stat. § 18A.23 and 3 MCAR § 1.0338 B., the Minnesota Department of Agriculture on September 4, 1979, issued a special Local Need Registration for Dursban 4E Insecticide manufactured by Dow Chemical Company, P.O. Box 1706, Midland, Michigan 48640.

Commissioner of Agriculture, based upon information in the application, has deemed it in the public interest to issue such a registration, and has deemed that the information in the application indicates that the pesticide does not have the potential for unreasonable adverse environmental effects.

## OFFICIAL NOTICES

In addition to the uses prescribed on the product label, this Special Local Need Registration permits the use of this pesticide to control overwintering populations of the native elm bark beetle on elm trees.

The application and other data required under Minn. Stat. §§ 18A.22, subd. 2 (a-d), 18A.23 and 40 CFR 162.150-162.158, subpart B relative to this registration (identified as SLN # MN 79-0014) is on file for inspection at:

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(612) 296-8379

A federal or state agency, a local unit of government, or any person or group of persons filing with the Commissioner a petition that contains the signatures and addresses of 500 or more individuals of legal voting age, has thirty (30) days to file written objections with the Commissioner of Agriculture regarding the issuance of this Special Local Need Registration. Upon receipt of such objections and when it is deemed in the best interest of the environment or the health, welfare, and safety of the public, the Commissioner of Agriculture shall order a hearing pursuant to Minn. Stat. ch. 15, for the purpose of revoking, amending, or upholding this registration.

September 12, 1979

Mark W. Seetin  
Commissioner

### Department of Health Emergency Medical Services Section

#### Notice of Applications for Licensure of Life Support Transportation Services in Long Lake and Minnetonka: Extension of Public Record

Notice is hereby given that on September 6, 1979, a public hearing was held to receive testimony regarding the application of North Memorial Medical Center for life support transportation bases of operation in the communities of Long Lake and Minnetonka, Minnesota. At the request of all parties to this matter, the public record in this contested case hearing shall remain open for a period of 45 days following the public hearing. Any parties wishing to comment on either or both of these license applications may do so by submitting their written statement to:

Mr. George A. Beck  
Hearing Examiner's Office  
Room 300  
1745 University Avenue  
St. Paul, Minnesota 55104

Although the record in this contested case will remain open until October 21, 1979, interested parties are respectfully requested by the Hearing Examiner to submit their written comments before September 28, 1979. This will allow time for all parties to consider new information submitted before the record is closed. Interested parties are also respectfully requested to provide copies of their written statements to or for use by North Memorial Medical Center, the license applicant. Such copies should be forwarded to:

Mr. William Nelson  
Emergency Medical Training Coordinator  
North Memorial Medical Center  
3220 Lowry Avenue North  
Minneapolis, Minnesota 55422

No further public hearing will be held in this matter. After the close of the record, the Hearing Examiner will report to the Commissioner of Health on these applications and the information submitted in support for and objection to them, as prescribed in Minn. Stat. § 144.802 (Supp. 1977). The Commissioner may then grant or deny either or both licenses following receipt of the Hearing Examiner's report.

### Minnesota State Retirement System

#### Special Meeting of the Board of Directors

Notice is hereby given that a special meeting of the Board of Directors of the Minnesota State Retirement System will be held on Friday, September 28, 1979, at 9:00 a.m. in the office of the System, 529 Jackson Street, St. Paul, Minnesota 55101.

### Pollution Control Agency Water Quality Division

#### Notice of Intent to Solicit Outside Opinion on Proposed Rules Revising Quality and Purity Standards for State Waters

Notice is hereby given that the Minnesota Pollution Control Agency (MPCA) is considering amendments to existing water quality rules, WPC 14, 15, 24 and 25 and amendments to other water quality rules to the extent they are inconsistent with the proposed amendments to WPC 14 and 15. In addition, the MPCA is considering the revocation of the following rules which are outdated or substantially inconsistent with other rules:

- (1) WPC 2 and 3
- (2) WPC 5-13, inclusive

## OFFICIAL NOTICES

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- (3) WPC 16-21, inclusive
- (4) WPC 23
- (5) WPC 26, 29, 31, 32

This revision of water quality standards is more limited than those amendments previously under consideration and noticed at 2 S.R. 684. A limited revision is under consideration at this time in response to the comments of individuals, organizations, and State and Federal Agencies on the previously noticed amendments.

The amendments to WPC 14, 15, 24 and 25 under consideration include but are not limited to the following areas:

- (1) Modification of the water quality standards for fecal coliform organisms, ammonia, and chlorine;
- (2) Modification and clarification of the existing water quality standards for dissolved oxygen;
- (3) Modification of the effluent limitation for fecal coliform organisms;
- (4) Addition of standards of quality and purity for a class of limited resource value waters which are generally intermittent or extremely low flow surface waters; and
- (5) Classification of various surface waters as limited resource value water per the classification described in (4) above.

The amendments do not address the classification of the Metropolitan segments of the Mississippi and Minnesota Rivers. The use classification of these segments of river is under active study by an advisory committee composed of citizens, Federal agencies, State agencies and Local agencies. A determination whether to amend the classification of the Metropolitan segments of the Mississippi and Minnesota Rivers will be made after the advisory committee's report and recommendations are received. The report and recommendation are scheduled to be received in late September, 1979.

A complete copy of all the amendments under consideration is available by writing to the following address:

John F. McGuire  
Minnesota Pollution Control Agency  
Division of Water Quality  
1935 West County Road B2  
Roseville, Minnesota 55113

All interested or affected persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to the above address.

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 296-7242, and in person at the above address.

All statements of information and comment must be received by October 15, 1979. Any written material received by the Agency shall become part of the hearing record.

## Water Planning Board Notice of Meeting of the Water Planning Board

Notice is hereby given that the Water Planning Board will hold a meeting on Thursday, September 27, 1979, at 9:30 a.m. in Room 51, State Office Building, 435 Park Street, St. Paul, Minnesota. An agenda for the meeting may be obtained one week prior to the meeting by contacting the undersigned at Room 600 American Center Building, 150 E. Kellogg Boulevard, St. Paul, Minnesota 55101.

Thomas Kalitowski  
Chairman

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